

Officer, leads the Senate from the dais in reciting the Pledge of Allegiance to the Flag of the United States".

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2000 AND 2001

On June 22, 1999, the Senate passed S. 886, the text of which follows:

S. 886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Admiral James W. Nance Foreign Relations Authorization Act, Fiscal Years 2000 and 2001".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Appropriate congressional committees defined.

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Sec. 102. International Commissions.
Sec. 103. Migration and Refugee Assistance.
Sec. 104. United States informational, educational, and cultural programs.

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Sec. 215. Major disasters and other incidents abroad affecting United States citizens.

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Sec. 302. State Department official for Northeastern Europe.

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SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided in section 902(1), in this Act the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS FOR DEPARTMENT OF STATE

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

(a) AUTHORIZATIONS OF APPROPRIATIONS.—The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including public diplomacy activities and the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For "Diplomatic and Consular Programs" of the Department of State, \$2,837,772,000 for the fiscal year 2000 and \$2,837,772,000 for the fiscal year 2001.

(2) CAPITAL INVESTMENT FUND.—For "Capital Investment Fund" of the Department of State, \$90,000,000 for the fiscal year 2000 and \$90,000,000 for the fiscal year 2001.

(3) SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS.—For "Security and Maintenance of United States Missions", \$434,066,000 for the fiscal year 2000 and \$434,066,000 for the fiscal year 2001.

(4) REPRESENTATION ALLOWANCES.—For "Representation Allowances", \$5,850,000 for the fiscal year 2000 and \$5,850,000 for the fiscal year 2001.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Diplomatic and Consular Service", \$17,000,000 for the fiscal year 2000 and \$17,000,000 for the fiscal year 2001.

(6) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$30,054,000 for the fiscal year 2000 and \$30,054,000 for the fiscal year 2001.

(7) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For "Payment to the American In-

stitute in Taiwan", \$15,760,000 for the fiscal year 2000 and \$15,760,000 for the fiscal year 2001.

(8) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) AMOUNTS AUTHORIZED TO BE APPROPRIATED.—For "Protection of Foreign Missions and Officials", \$9,490,000 for the fiscal year 2000 and \$9,490,000 for the fiscal year 2001.

(B) AVAILABILITY OF FUNDS.—Each amount appropriated pursuant to this paragraph is authorized to remain available through September 30 of the fiscal year following the fiscal year for which the amount was appropriated.

(9) REPATRIATION LOANS.—For "Repatriation Loans", \$1,200,000 for the fiscal year 2000 and \$1,200,000 for the fiscal year 2001, for administrative expenses.

(b) ALLOCATION OF FUNDS FOR COMMERCIAL LICENSES.—Of the funds made available to the Department of State under subsection (a)(1), \$8,000,000 shall be made available only for the activities of the Office of Defense Trade Controls of the Department of State.

SEC. 102. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under "International Commissions" for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For "International Boundary and Water Commission, United States and Mexico"—

(A) for "Salaries and Expenses", \$20,413,000 for the fiscal year 2000 and \$20,413,000 for the fiscal year 2001; and

(B) for "Construction", \$8,435,000 for the fiscal year 2000 and \$8,435,000 for the fiscal year 2001.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For "International Boundary Commission, United States and Canada", \$859,000 for the fiscal year 2000 and \$859,000 for the fiscal year 2001.

(3) INTERNATIONAL JOINT COMMISSION.—For "International Joint Commission", \$3,819,000 for the fiscal year 2000 and \$3,819,000 for the fiscal year 2001.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For "International Fisheries Commissions", \$16,702,000 for the fiscal year 2000 and \$16,702,000 for the fiscal year 2001.

SEC. 103. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, \$660,000,000 for the fiscal year 2000 and \$660,000,000 for the fiscal year 2001.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to remain available until expended.

SEC. 104. UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated to carry out educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the North/South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—For the "Fulbright Academic Exchange Programs" (other than programs described in subparagraph (B)), \$112,000,000 for

the fiscal year 2000 and \$112,000,000 for the fiscal year 2001.

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For other educational and cultural exchange programs authorized by law, \$98,329,000 for the fiscal year 2000 and \$98,329,000 for the fiscal year 2001.

(2) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the "Center for Cultural and Technical Interchange between East and West", \$12,500,000 for the fiscal year 2000 and \$12,500,000 for the fiscal year 2001.

(3) NATIONAL ENDOWMENT FOR DEMOCRACY.—For the "National Endowment for Democracy", \$31,000,000 for the fiscal year 2000 and \$31,000,000 for the fiscal year 2001.

(4) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.—For "Center for Cultural and Technical Interchange between North and South" \$1,750,000 for the fiscal year 2000 and \$1,750,000 for the fiscal year 2001.

(b) EXCHANGES WITH RUSSIA.—

(1) MUSKIE FELLOWSHIPS.—Of the amounts authorized to be appropriated under subsection (a)(1)(B), \$5,000,000 for each of the fiscal years 2000 and 2001 shall be available only to carry out the Edmund S. Muskie Fellowship Program under section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) with the Russian Federation.

(2) SENSE OF CONGRESS ON ALLOCATION OF RESOURCES FOR EXCHANGES WITH RUSSIA.—It is the sense of the Congress that educational and professional exchanges with the Russian Federation have proven to be an effective mechanism for enhancing democratization in that country and that, therefore, Congress should significantly increase the financial resources allocated for those programs.

(c) MUSKIE FELLOWSHIP DOCTORAL GRADUATE STUDIES FOR NATIONALS OF THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.—

(1) ALLOCATION OF FUNDS.—Of the amounts authorized to be appropriated under subsection (a)(1)(B), not less than \$2,000,000 for fiscal year 2000, and not less than \$2,000,000 for fiscal year 2001, shall be made available to provide scholarships for doctoral graduate study in the social sciences to nationals of the independent states of the former Soviet Union under the Edmund S. Muskie Fellowship Program authorized by section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note).

(2) REQUIREMENTS.—

(A) NON-FEDERAL SUPPORT.—Not less than 20 percent of the costs of each student's doctoral study supported under paragraph (1) shall be provided from non-Federal sources.

(B) HOME COUNTRY RESIDENCE REQUIREMENT.—

(i) AGREEMENT FOR SERVICE IN HOME COUNTRY.—Before an individual may receive scholarship assistance under paragraph (1), the individual shall enter into a written agreement with the Department of State under which the individual agrees that after completing all degree requirements, or terminating his or her studies, whichever occurs first, the individual will return to the country of the individual's nationality, or country of last habitual residence, within the independent states of the former Soviet Union (as defined in section 3 of the FREEDOM Support Act (22 U.S.C. 5801)), to reside and remain physically present there for an aggregate of at least one year for each year of study supported under paragraph (1).

(ii) DENIAL OF ENTRY INTO THE UNITED STATES FOR NONCOMPLIANCE.—Any individual who has entered into an agreement under clause (i) and who has not completed the period of home country residence and presence

required by that agreement shall be ineligible for a visa and inadmissible to the United States.

(d) VIETNAM FULBRIGHT ACADEMIC EXCHANGE PROGRAM.—Of the amounts authorized to be appropriated under subsection (a)(1)(A), \$5,000,000 for the fiscal year 2000 and \$5,000,000 for the fiscal year 2001 shall be available only to carry out the Vietnam scholarship program established by section 229 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102-138).

SEC. 105. GRANTS TO THE ASIA FOUNDATION.

Section 404 of The Asia Foundation Act (title IV of Public Law 98-164; 22 U.S.C. 4403) is amended to read as follows:

"SEC. 404. There are authorized to be appropriated to the Secretary of State \$15,000,000 for each of the fiscal years 2000 and 2001 for grants to The Asia Foundation pursuant to this title."

TITLE II—DEPARTMENT OF STATE BASIC AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 201. OFFICE OF CHILDREN'S ISSUES.

(a) DIRECTOR REQUIREMENTS.—At the earliest date practicable, the Secretary of State is requested to fill the position of Director of the Office of Children's Issues of the Department of State (in this section referred to as the "Office") with a career member of the Senior Executive Service. Effective January 1, 2001, only a career member of the Senior Executive Service may occupy the position of Director of the Office. In selecting an individual to fill the position of Director, the Secretary of State shall seek an individual who can assure long-term continuity in the management of the Office.

(b) CASE OFFICER STAFFING.—Effective April 1, 2000, there shall be assigned to the Office of Children's Issues of the Department of State a sufficient number of case officers to ensure that the average caseload for each officer does not exceed 75.

(c) EMBASSY CONTACT.—The Secretary of State shall designate in each United States diplomatic mission an employee who shall serve as the point of contact for matters relating to international abductions of children by parents. The Director of the Office shall regularly inform the designated employee of children of United States citizens abducted by parents to that country.

(d) COORDINATION.—

(1) PARTICULAR ABDUCTIONS.—Not later than 24 hours after notice of the possible abduction of a child by a parent to a location abroad has been submitted to the Department of State, the Secretary of State shall submit to the National Center for Missing and Exploited Children a report including the following:

(A) The name of the abducted child.

(B) The name and contact information of the parent or guardian who is searching for the child.

(C) The name and contact information for the law enforcement officials, including the agencies which employ the officials, assisting in the effort to return the child.

(D) The country to which the child is believed to have been abducted.

(E) The name of the person believed to have abducted the child.

(2) GENERAL CASE INFORMATION.—At least once every six months, the Secretary shall submit to the Center a report on the following:

(A) Any case of abduction of a child by a parent previously submitted to the Secretary that has been closed during the preceding six months, including the reason for closing the case.

(B) Any case for which the Department of State has received a request during such

months for assistance from a parent concerned about preventing the abduction of a child to a location abroad.

(e) REPORTS TO PARENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), beginning 6 months after the date of enactment of this Act, and at least once every 6 months thereafter, the Secretary of State shall report to each parent who has requested assistance regarding an abducted child. Each such report shall include information on the current status of the abducted child's case and the efforts by the Department of State to resolve the case.

(2) EXCEPTION.—The requirement in paragraph (1) shall not apply in a case of an abducted child if—

(A) the case has been closed and the Secretary of State has reported the reason the case was closed to the parent who requested assistance; or

(B) the parent seeking assistance requests that such reports not be provided.

SEC. 202. STRENGTHENING IMPLEMENTATION OF THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION.

(a) REPORTS ON COMPLIANCE WITH THE CONVENTION.—Section 2803(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105-277) is amended—

(1) in the first sentence, by striking "during the period ending September 30, 1999";

(2) in paragraph (4), by inserting before the period at the end the following: ", including the specific actions taken by the United States chief of mission in the country to which the child is alleged to have been abducted"; and

(3) by adding at the end the following new paragraph:

"(6) a description of the efforts of the Secretary of State to encourage the parties to the Convention to facilitate the work of non-governmental organizations within their countries that assist parents seeking the return of children under the Convention."

(b) COORDINATION IN THE UNITED STATES.—It is the sense of Congress that the Secretary of State should continue to work with the National Center for Missing and Exploited Children in the United States to assist parents seeking the return of, or access to, children brought to the United States in violation of the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980.

SEC. 203. HUMAN RIGHTS REPORTING ON THE TREATMENT OF CHILDREN.

(a) IN GENERAL.—It is the sense of Congress that the annual human rights report by the Department of State should include a section on each country regarding the treatment of children in that country.

(b) CONTENTS OF REPORT SECTIONS.—Each report section described in subsection (a) should include—

(1) a description of compliance by the country with the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980;

(2) a description of the cooperation, or lack thereof, in resolving cases of abducted children by each country that is not a party to the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980;

(3) the number of children who were abducted and remain in the country, with special emphasis on cases of more than one year in duration; and

(4) an identification of those cases that have resulted in the successful return of children.

SEC. 204. STUDY FOR ESTABLISHMENT OF RUSSIAN DEMOCRACY FOUNDATION.

(a) IN GENERAL.—The Secretary of State shall conduct a study of the feasibility of establishing a Russia-based foundation for the promotion of democratic institutions in the Russian Federation.

(b) ALLOCATION OF FUNDS.—Of the funds authorized to be appropriated for the Department of State for fiscal year 2000, up to \$50,000 shall be available to carry out this section.

(c) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees setting forth the results of the study conducted under subsection (a).

SEC. 205. LIMITATION ON PARTICIPATION IN INTERNATIONAL EXPOSITIONS.

Section 230 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2452 note) is amended—

(1) by striking "Notwithstanding" and inserting "(a) LIMITATION.—Except as provided in subsection (b) and notwithstanding"; and

(2) by adding at the end the following:

"(b) EXCEPTIONS.—Notwithstanding subsection (a), the United States Information Agency may use funds to carry out any of its responsibilities—

"(1) under section 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(3)) to provide for United States participation in international fairs and expositions abroad;

"(2) under section 105(f) of such Act (22 U.S.C. 2455(f)) with respect to encouraging foreign governments, international organizations, and private individuals, firms, associations, agencies, and other groups to participate in international fairs and expositions and to make contributions to be utilized for United States participation in international fairs and expositions; or

"(3) to facilitate support to the United States Commissioner General for participation in international fairs and expositions.

"(c) STATUTORY CONSTRUCTION.—Nothing in subsection (b) authorizes the use of funds available to the United States Information Agency to make any payment for—

"(1) any contract, grant, or other agreement with any other party to carry out any activity described in subsection (b); or

"(2) the satisfaction of any legal judgment or the cost of any litigation brought against the United States Information Agency arising from any activity described in subsection (b)."

SEC. 206. INSPECTOR GENERAL FOR THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION.

Notwithstanding any other provision of law, the Inspector General of the Agency for International Development shall serve as the Inspector General of the Inter-American Foundation and the African Development Foundation and shall have all the authorities and responsibilities with respect to the Inter-American Foundation and the African Development Foundation as the Inspector General has with respect to the Agency for International Development.

Subtitle B—Consular Authorities**SEC. 211. FEES FOR MACHINE READABLE VISAS.**

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 8 U.S.C. 1351 note) is amended—

(1) by striking the first sentence of paragraph (3), and inserting "For each of the fiscal years 2000 and 2001, any amount collected under paragraph (1) that exceeds \$300,000,000 may be made available for the purposes of paragraph (2) only if a notification is sub-

mitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706)."; and

(2) by striking paragraphs (4) and (5).

SEC. 212. FEES RELATING TO AFFIDAVITS OF SUPPORT.

(a) AUTHORITY TO CHARGE FEE.—The Secretary of State may charge and retain a fee or surcharge for services provided by the Department of State to any sponsor who provides an affidavit of support under section 213A of the Immigration and Nationality Act (8 U.S.C. 1183a) to ensure that such affidavit is properly completed before it is forwarded to a consular post for adjudication by a consular officer in connection with the adjudication of an immigrant visa. Such fee or surcharge shall be in addition to and separate from any fee imposed for immigrant visa application processing and issuance, and shall recover only the costs of such services not recovered by such fee.

(b) LIMITATION.—Any fee established under subsection (a) shall be charged only once to a sponsor who files essentially duplicative affidavits of support in connection with separate immigrant visa applications from the spouse and children of any petitioner required by the Immigration and Nationality Act to petition separately for such persons.

(c) TREATMENT OF FEES.—Fees collected under the authority of subsection (a) shall be deposited as an offsetting collection to any Department of State appropriation to recover the cost of providing consular services.

(d) COMPLIANCE WITH BUDGET ACT.—Fees may be collected under the authority of subsection (a) only to such extent or in such amounts as are provided in advance in an appropriation Act.

SEC. 213. PASSPORT FEES.

(a) APPLICATIONS.—Section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214), is amended—

(1) in the first sentence—

(A) by striking "each passport issued" and inserting "the filing of each application for a passport (including the cost of passport issuance and use)"; and

(B) by striking "each application for a passport;" and inserting "each such application"; and

(2) by adding after the first sentence the following new sentence: "Such fees shall not be refundable, except as the Secretary may by regulation prescribe."

(b) REPEAL OF OUTDATED PROVISION ON PASSPORT FEES.—Section 4 of the Passport Act of June 4, 1920 (22 U.S.C. 216) is repealed.

SEC. 214. DEATHS AND ESTATES OF UNITED STATES CITIZENS ABROAD.

(a) REPEAL.—Section 1709 of the Revised Statutes (22 U.S.C. 4195) is repealed.

(b) AMENDMENT TO STATE DEPARTMENT BASIC AUTHORITIES ACT.—The State Department Basic Authorities Act of 1956 is amended by inserting after section 43 (22 U.S.C. 2715) the following new sections:

"SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF DEATH.

"(a) IN GENERAL.—Whenever a United States citizen or national dies abroad, a consular officer shall endeavor to notify, or assist the Secretary of State in notifying, the next of kin or legal guardian as soon as possible, except that, in the case of death of any Peace Corps volunteer (within the meaning of section 5(a) of the Peace Corps Act (22 U.S.C. 2504(a)), any member of the Armed Forces, any dependent of such a volunteer or member, or any Department of Defense employee, the consular officer shall assist the Peace Corps or the appropriate military authorities, as the case may be, in making such notifications.

"(b) REPORTS OF DEATH OR PRESUMPTIVE DEATH.—The consular officer may, for any United States citizen who dies abroad—

"(1) in the case of a finding of death by the appropriate local authorities, issue a report of death or of presumptive death; or

"(2) in the absence of a finding of death by the appropriate local authorities, issue a report of presumptive death.

"(c) IMPLEMENTING REGULATIONS.—The Secretary of State shall prescribe such regulations as may be necessary to carry out this section.

"SEC. 43B. CONSERVATION AND DISPOSITION OF ESTATES.

"(a) CONSERVATION OF ESTATES ABROAD.—

"(1) AUTHORITY TO ACT AS CONSERVATOR.—Whenever a United States citizen or national dies abroad, a consular officer shall act as the provisional conservator of the portion of the decedent's estate located abroad and, subject to paragraphs (3), (4), and (5), shall—

"(A) take possession of the personal effects of the decedent within his jurisdiction;

"(B) inventory and appraise the personal effects of the decedent, sign the inventory, and annex thereto a certificate as to the accuracy of the inventory and appraised value of each article;

"(C) when appropriate in the exercise of prudent administration, collect the debts due to the decedent in the officer's jurisdiction and pay from the estate the obligations owed by the decedent;

"(D) sell or dispose of, as appropriate, in the exercise of prudent administration, all perishable items of property;

"(E) sell, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, such additional items of property as necessary to provide funds sufficient to pay the decedent's debts and property taxes in the country of death, funeral expenses, and other expenses incident to the disposition of the estate;

"(F) upon the expiration of the one-year period beginning on the date of death (or after such additional period as may be required for final settlement of the estate), if no claimant shall have appeared, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, sell or dispose of the residue of the personal estate, except as provided in subparagraph (G), in the same manner as United States Government-owned foreign excess property;

"(G) transmit to the custody of the Secretary of State in Washington, D.C. the proceeds of any sales, together with all financial instruments (including bonds, shares of stock, and notes of indebtedness), jewelry, heirlooms, and other articles of obvious sentimental value, to be held in trust for the legal claimant; and

"(H) in the event that the decedent's estate includes an interest in real property located within the jurisdiction of the officer and such interest does not devolve by the applicable laws of intestate succession or otherwise, provide for title to the property to be conveyed to the Government of the United States unless the Secretary declines to accept such conveyance.

"(2) AUTHORITY TO ACT AS ADMINISTRATOR.—Subject to paragraphs (3) and (4), a consular officer may act as administrator of an estate in exceptional circumstances if expressly authorized to do so by the Secretary of State.

"(3) EXCEPTIONS.—The responsibilities described in paragraphs (1) and (2) may not be performed to the extent that the decedent has left or there is otherwise appointed, in the country where the death occurred or where the decedent was domiciled, a legal representative, partner in trade, or trustee appointed to take care of his personal estate.

If the decedent's legal representative shall appear at any time prior to transmission of the estate to the Secretary and demand the proceeds and effects being held by the consular officer, the officer shall deliver them to the representative after having collected any prescribed fee for the services performed under this section.

"(4) ADDITIONAL REQUIREMENT.—In addition to being subject to the limitations in paragraph (3), the responsibilities described in paragraphs (1) and (2) may not be performed unless—

"(A) authorized by treaty provisions or permitted by the laws or authorities of the country wherein the death occurs, or the decedent is domiciled; or

"(B) permitted by established usage in that country.

"(5) STATUTORY CONSTRUCTION.—Nothing in this section supersedes or otherwise affects the authority of any military commander under title 10 of the United States Code with respect to the person or property of any decedent who died while under a military command or jurisdiction or the authority of the Peace Corps with respect to a Peace Corps volunteer or the volunteer's property.

"(b) DISPOSITION OF ESTATES BY THE SECRETARY OF STATE.—

"(1) PERSONAL ESTATES.—

"(A) IN GENERAL.—After receipt of a personal estate pursuant to subsection (a), the Secretary may seek payment of all outstanding debts to the estate as they become due, may receive any balances due on such estate, may endorse all checks, bills of exchange, promissory notes, and other instruments of indebtedness payable to the estate for the benefit thereof, and may take such other action as is reasonably necessary for the conservation of the estate.

"(B) DISPOSITION AS SURPLUS UNITED STATES PROPERTY.—If, upon the expiration of a period of 5 fiscal years beginning on October 1 after a consular officer takes possession of a personal estate under subsection (a), no legal claimant for such estate has appeared, title to the estate shall be conveyed to the United States, the property in the estate shall be under the custody of the Department of State, and the Secretary shall dispose of the estate in the same manner as surplus United States Government-owned property is disposed of by such means as may be appropriate in light of the nature and value of the property involved. The expenses of sales shall be paid from the estate, and any lawful claim received thereafter shall be payable to the extent of the value of the net proceeds of the estate as a refund from the appropriate Treasury appropriations account.

"(C) TRANSFER OF PROCEEDS.—The net cash estate after disposition as provided in subparagraph (B) shall be transferred to the miscellaneous receipts account of the Treasury of the United States.

"(2) REAL PROPERTY.—

"(A) DESIGNATION AS EXCESS PROPERTY.—In the event that title to real property is conveyed to the Government of the United States pursuant to subsection (a)(1)(H) and is not required by the Department of State, such property shall be considered foreign excess property under title IV of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 511 et seq.).

"(B) TREATMENT AS GIFT.—In the event that the Department requires such property, the Secretary of State shall treat such property as if it were an unconditional gift accepted on behalf of the Department of State under section 25 of this Act and section 9(a)(3) of the Foreign Service Buildings Act of 1926.

"(c) LOSSES IN CONNECTION WITH THE CONSERVATION OF ESTATES.—

"(1) AUTHORITY TO COMPENSATE.—The Secretary is authorized to compensate the estate of any United States citizen who has died overseas for property—

"(A) the conservation of which has been undertaken under section 43 or subsection (a) of this section; and

"(B) that has been lost, stolen, or destroyed while in the custody of officers or employees of the Department of State.

"(2) LIABILITY.—

"(A) EXCLUSION OF PERSONAL LIABILITY AFTER PROVISION OF COMPENSATION.—Any such compensation shall be in lieu of personal liability of officers or employees of the Department of State.

"(B) LIABILITY TO THE DEPARTMENT.—An officer or employee of the Department of State may be liable to the Department of State to the extent of any compensation provided under paragraph (1).

"(C) DETERMINATIONS OF LIABILITY.—The liability of any officer or employee of the Department of State to the Department for any payment made under subsection (a) shall be determined pursuant to the Department's procedures for determining accountability for United States Government property.

"(d) REGULATIONS.—The Secretary of State may prescribe such regulations as may be necessary to carry out this section."

(c) EFFECTIVE DATE.—The repeal and amendment made by this section shall take effect six months after the date of enactment of this Act.

SEC. 215. MAJOR DISASTERS AND OTHER INCIDENTS ABROAD AFFECTING UNITED STATES CITIZENS.

Section 43 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2715) is amended—

(1) by inserting "(a) AUTHORITY.—" before "In";

(2) by striking "disposition of personal effects" in the last sentence and inserting "disposition of personal estates pursuant to section 43B"; and

(3) by adding at the end the following new subsection:

"(b) DEFINITIONS.—For purposes of this section and sections 43A and 43B, the term 'consular officer' includes any United States citizen employee of the Department of State who is designated by the Secretary of State to perform consular services pursuant to such regulations as the Secretary may prescribe."

SEC. 216. MIKEY KALE PASSPORT NOTIFICATION ACT OF 1999.

(a) Not later than 180 days after the enactment of this Act, the Secretary of State shall issue regulations that—

(1) provide that, in the issuance of a passport to minors under the age of 18 years, both parents, a guardian, or a person in loco parentis have—

(A) executed the application; and

(B) provided documentary evidence demonstrating that they are the parents, guardian, or person in loco parentis; and

(2) provide that, in the issuance of a passport to minors under the age of 18 years, in those cases where both parents have not executed the passport application, the person executing the application has provided documentary evidence that such person—

(A) has sole custody of the child; or

(B) the other parent has provided consent to the issuance of the passport.

The requirement of this paragraph shall not apply to guardians or persons in loco parentis.

(b) The regulations required to be issued by this section may provide for exceptions in exigent circumstances involving the health or welfare of the child.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organization Matters

SEC. 301. LEGISLATIVE LIAISON OFFICES OF THE DEPARTMENT OF STATE.

(a) DEVELOPMENT OF PLAN.—The Secretary of State shall develop a plan for the establishment of legislative liaison offices for the Department of State within the office buildings of the House of Representatives and the Senate. In developing the plan, the Secretary should examine existing liaison offices of other executive departments that are located in the congressional office buildings, including the liaison offices of the military services.

(b) PLAN ELEMENTS.—The plan developed under subsection (a) shall consider—

(1) space requirements;

(2) cost implications;

(3) personnel structure; and

(4) the feasibility of modifying the Pearson Fellowship program in order to require members of the Foreign Service who serve in such fellowships to serve a second year in a legislative liaison office.

(c) TRANSMITTAL OF PLAN.—Not later than October 1, 1999, the Secretary of State shall submit to the Committee on International Relations and the Committee on House Administration of the House of Representatives and the Committee on Foreign Relations and the Committee on Rules and Administration of the Senate the plan developed under subsection (a).

SEC. 302. STATE DEPARTMENT OFFICIAL FOR NORTHEASTERN EUROPE.

The Secretary of State shall designate an existing senior-level official of the Department of State with responsibility for promoting regional cooperation in and coordinating United States policy toward Northeastern Europe.

SEC. 303. SCIENCE AND TECHNOLOGY ADVISER TO SECRETARY OF STATE.

(a) ESTABLISHMENT OF POSITION.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

"(g) SCIENCE AND TECHNOLOGY ADVISER.—

"(1) IN GENERAL.—There shall be within the Department of State a Science and Technology Adviser (in this paragraph referred to as the 'Adviser'). The Adviser shall report to the Secretary of State through the Under Secretary of State for Global Affairs.

"(2) DUTIES.—The Adviser shall—

"(A) advise the Secretary of State, through the Under Secretary of State for Global Affairs, on international science and technology matters affecting the foreign policy of the United States; and

"(B) perform such duties, exercise such powers, and have such rank and status as the Secretary of State shall prescribe."

(b) REPORT.—Not later than six months after receipt by the Secretary of State of the report by the National Research Council of the National Academy of Sciences with respect to the contributions that science, technology, and health matters can make to the foreign policy of the United States, the Secretary of State, acting through the Under Secretary of State for Global Affairs, shall submit a report to Congress setting forth the Secretary of State's plans for implementation, as appropriate, of the recommendations of the report.

Subtitle B—Foreign Service Reform

SEC. 311. FINDINGS.

Congress makes the following findings:

(1) To carry out its international relations and diplomacy, the United States has relied on a professional career Foreign Service that was established by law in 1924.

(2) The Foreign Service Act of 1980 accurately states that the United States career foreign service is essential to the national interest in that it assists the President and the Secretary of State in conducting the foreign affairs of the United States.

(3) The career Foreign Service is premised on a membership that is characterized by excellence, intelligence, professionalism, and integrity.

(4) Ethical, professional, and financial misconduct by career members of the Foreign Service, while uncommon, must be met with fair but swift disciplinary action. A failure to adequately discipline, and in some cases remove from the Foreign Service, those career members who violate laws or regulations would erode the qualities of excellence required of United States Foreign Service members.

(5) Retention of members of the Foreign Service who do not meet high standards of conduct would in the long term harm important national interests of the United States.

SEC. 312. UNITED STATES CITIZENS HIRED ABROAD.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the last sentence—

(1) by striking “(A)” and all that follows through “(B)”;

(2) by striking “this total compensation package” and insert “the compensation plan”.

SEC. 313. LIMITATION ON PERCENTAGE OF SENIOR FOREIGN SERVICE ELIGIBLE FOR PERFORMANCE PAY.

Section 405(b)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3965(b)(1)) is amended by striking “50” and inserting “33”.

SEC. 314. PLACEMENT OF SENIOR FOREIGN SERVICE PERSONNEL.

The Director General of the Foreign Service shall submit a report on the first day of each fiscal quarter to the appropriate congressional committees containing the following:

(1) The number of members of the Senior Foreign Service.

(2) The number of vacant positions designated for members of the Senior Foreign Service.

(3) The number of members of the Senior Foreign Service who are not assigned to positions.

SEC. 315. REPORT ON MANAGEMENT TRAINING.

Not later than February 1, 2000, the Department of State shall report to the appropriate congressional committees on the feasibility of modifying current training programs and curricula so that the Department can provide significant and comprehensive management training at all career grades for Foreign Service personnel.

SEC. 316. WORKFORCE PLANNING FOR FOREIGN SERVICE PERSONNEL BY FEDERAL AGENCIES.

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by striking paragraph (4) and inserting the following:

“(4) Not later than March 1, 2001, and every four years thereafter, the Secretary of State shall submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate which shall include the following:

“(A) A description of the steps taken and planned in furtherance of—

“(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 203, and

“(ii) the development of uniform policies and procedures and consolidated personnel functions, as provided for in section 204.

“(B) A workforce plan for the subsequent five years, including projected personnel needs, by grade and by skill. Each such plan

shall include for each category the needs for foreign language proficiency, geographic and functional expertise, and specialist technical skills. Each workforce plan shall specifically account for the training needs of Foreign Service personnel and shall delineate an intake program of generalist and specialist Foreign Service personnel to meet projected future requirements.

“(5) If there are substantial modifications to any workforce plan under paragraph (4)(B) during any year in which a report under paragraph (4) is not required, a supplemental annual notification shall be submitted in the same manner as reports are required to be submitted under paragraph (4).”.

SEC. 317. RECORDS OF DISCIPLINARY ACTIONS.

(a) IN GENERAL.—Section 604 of the Foreign Service Act of 1980 (22 U.S.C. 4004) is amended—

(1) by striking “CONFIDENTIALITY OF RECORDS.—” and inserting “RECORDS.—(a)”;

(2) by adding at the end the following new subsection:

“(b) Notwithstanding subsection (a), any record of disciplinary action that includes a suspension of more than five days taken against a member of the Service, including any correction of that record under section 1107(b)(1), shall remain a part of the personnel records until the member is tenured as a career member of the Service or next promoted.”.

(b) EFFECTIVE DATE.—The amendments made by this section apply to all disciplinary actions initiated on or after the date of enactment of this Act.

SEC. 318. LIMITATION ON SALARY AND BENEFITS FOR MEMBERS OF THE FOREIGN SERVICE RECOMMENDED FOR SEPARATION FOR CAUSE.

Section 610(a) of the Foreign Service Act (22 U.S.C. 4010(a)) is amended by adding at the end the following new paragraph:

“(6) Notwithstanding the hearing required by paragraph (2), at the time the Secretary recommends that a member of the Service be separated for cause, that member shall be placed on leave without pay pending final resolution of the underlying matter, subject to reinstatement with back pay if cause for separation is not established in a hearing before the Board.”.

SEC. 319. FOREIGN LANGUAGE PROFICIENCY.

(a) REPORT ON LANGUAGE PROFICIENCY.—Section 702 of the Foreign Service Act of 1980 (22 U.S.C. 4022) is amended by adding at the end the following new subsection:

“(c) Not later than March 31 of each year, the Director General of the Foreign Service shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives summarizing the number of positions in each overseas mission requiring foreign language competence that—

“(1) became vacant during the previous calendar year; and

“(2) were filled by individuals having the required foreign language competence.”.

(b) REPEAL.—Section 304(c) of the Foreign Service Act of 1980 (22 U.S.C. 3944(c)) is repealed.

SEC. 320. TREATMENT OF GRIEVANCE RECORDS.

Section 1103(d)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4133(d)(1)) is amended by adding at the end the following new sentence: “Nothing in this subsection prevents a grievant from placing in the grievant’s personnel records a rebuttal to accompany a record of disciplinary action, nor prevents the Department from placing in the file a statement that the disciplinary action has been reviewed and upheld by the Foreign Service Grievance Board.”.

SEC. 321. DEADLINES FOR FILING GRIEVANCES.

(a) IN GENERAL.—Section 1104(a) of the Foreign Service Act of 1980 (22 U.S.C. 4134(a)) is amended in the first sentence by striking “within a period of 3 years” and all that follows through the period and inserting “not later than two years after the occurrence giving rise to the grievance or, in the case of a grievance with respect to the grievant’s rater or reviewer, one year after the date on which the grievant ceased to be subject to rating or review by that person, but in no case less than two years after the occurrence giving rise to the grievance.”.

(b) GRIEVANCES ALLEGING DISCRIMINATION.—Section 1104 of that Act (22 U.S.C. 4134) is amended by striking subsection (c).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of enactment of this Act and shall apply to grievances which arise on or after such effective date.

SEC. 322. REPORTS BY THE FOREIGN SERVICE GRIEVANCE BOARD.

Section 1105 of the Foreign Service Act of 1980 (22 U.S.C. 4135) is amended by adding the following new subsection:

“(f)(1) Not later than March 1 of each year, the Chairman of the Foreign Service Grievance Board shall prepare a report summarizing the activities of the Board during the previous calendar year. The report shall include—

“(A) the number of cases filed;

“(B) the types of cases filed;

“(C) the number of cases on which a final decision was reached, as well as data on the outcome of cases, whether affirmed, reversed, settled, withdrawn, or dismissed;

“(D) the number of oral hearings conducted and the length of each such hearing;

“(E) the number of instances in which interim relief was granted by the Board; and

“(F) data on the average time for consideration of a grievance, from the time of filing to a decision of the Board.

“(2) The report required under paragraph (1) shall be submitted to the Director General of the Foreign Service and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.”.

SEC. 323. EXTENSION OF USE OF FOREIGN SERVICE PERSONNEL SYSTEM.

Section 202(a) of the Foreign Service Act of 1980 (22 U.S.C. 3922(a)) is amended by adding at the end the following new paragraph:

“(4)(A) Whenever (and to the extent) the Secretary of State considers it in the best interests of the United States Government, the Secretary of State may authorize the head of any agency or other Government establishment (including any establishment in the legislative or judicial branch) to appoint under section 303 individuals described in subparagraph (B) as members of the Service and to utilize the Foreign Service personnel system with respect to such individuals under such regulations as the Secretary of State may prescribe.

“(B) The individuals referred to in subparagraph (A) are individuals hired for employment abroad under section 311(a).”.

Subtitle C—Other Personnel Matters

SEC. 331. BORDER EQUALIZATION PAY ADJUSTMENT.

(a) IN GENERAL.—Chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended by adding at the end the following new section:

“SEC. 414. BORDER EQUALIZATION PAY ADJUSTMENT.

“(a) IN GENERAL.—An employee who regularly commutes from the employee’s place of residence in the continental United States to an official duty station in Canada or Mexico shall receive a border equalization pay adjustment equal to the amount of comparability payments under section 5304 of

title 5, United States Code, that the employee would receive if the employee were assigned to an official duty station within the United States locality pay area closest to the employee's official duty station.

"(b) EMPLOYEE DEFINED.—For purposes of this section, the term 'employee' means a person who—

"(1) is an 'employee' as defined under section 2105 of title 5, United States Code; and

"(2) is employed by the Department of State, the United States Agency for International Development, or the International Joint Commission of the United States and Canada (established under Article VII of the treaty signed January 11, 1909) (36 Stat. 2448), except that the term shall not include members of the Service (as specified in section 103).

"(c) TREATMENT AS BASIC PAY.—An equalization pay adjustment paid under this section shall be considered to be part of basic pay for the same purposes for which comparability payments are considered to be part of basic pay under section 5304 of title 5, United States Code.

"(d) REGULATIONS.—The heads of the agencies referred to in subsection (b)(2) may prescribe regulations to carry out this section."

(b) CONFORMING AMENDMENT.—The table of contents for the Foreign Service Act of 1980 is amended by inserting after the item relating to section 413 the following new item:

"Sec. 414. Border equalization pay adjustment."

SEC. 332. TREATMENT OF CERTAIN PERSONS REEMPLOYED AFTER SERVICE WITH INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—Title 5 of the United States Code is amended by inserting after section 8432b the following new section:

"§8432c. Contributions of certain persons reemployed after service with international organizations"

"(a) In this section, the term 'covered person' means any person who—

"(1) transfers from a position of employment covered by chapter 83 or 84 or subchapter I or II of chapter 8 of the Foreign Service Act of 1980 to a position of employment with an international organization pursuant to section 3582;

"(2) pursuant to section 3582 elects to retain coverage, rights, and benefits under any system established by law for the retirement of persons during the period of employment with the international organization and currently deposits the necessary deductions in payment for such coverage, rights, and benefits in the system's fund; and

"(3) is reemployed pursuant to section 3582(b) to a position covered by chapter 83 or 84 or subchapter I or II of chapter 8 of the Foreign Service Act of 1980 after separation from the international organization.

"(b)(1) Each covered person may contribute to the Thrift Savings Fund, in accordance with this subsection, an amount not to exceed the amount described in paragraph (2).

"(2) The maximum amount which a covered person may contribute under paragraph (1) is equal to—

"(A) the total amount of all contributions under section 8351(b)(2) or 8432(a), as applicable, which the person would have made over the period beginning on the date of transfer of the person (as described in subsection (a)(1)) and ending on the day before the date of reemployment of the person (as described in subsection (a)(3)), minus

"(B) the total amount of all contributions, if any, under section 8351(b)(2) or 8432(a), as applicable, actually made by the person over the period described in subparagraph (A).

"(3) Contributions under paragraph (1)—

"(A) shall be made at the same time and in the same manner as would any contributions

under section 8351(b)(2) or 8432(a), as applicable;

"(B) shall be made over the period of time specified by the person under paragraph (4)(B); and

"(C) shall be in addition to any contributions actually being made by the person during that period under section 8351(b)(2) or 8432(a), as applicable.

"(4) The Executive Director shall prescribe the time, form, and manner in which a covered person may specify—

"(A) the total amount the person wishes to contribute with respect to any period described in paragraph (2)(A); and

"(B) the period of time over which the covered person wishes to make contributions under this subsection.

"(c) If a covered person who makes contributions under section 8432(a) makes contributions under subsection (b), the agency employing the person shall make those contributions to the Thrift Savings Fund on the person's behalf in the same manner as contributions are made for an employee described in section 8432b(a) under sections 8432b(c), 8432b(d), and 8432b(f). Amounts paid under this subsection shall be paid in the same manner as amounts are paid under section 8432b(g).

"(d) For purposes of any computation under this section, a covered person shall, with respect to the period described in subsection (b)(2)(A), be considered to have been paid at the rate which would have been payable over such period had the person remained continuously employed in the position that the person last held before transferring to the international organization.

"(e) For purposes of section 8432(g), a covered person shall be credited with a period of civilian service equal to the period beginning on the date of transfer of the person (as described in subsection (a)(1)) and ending on the day before the date of reemployment of the person (as described in subsection (a)(3)).

"(f) The Executive Director shall prescribe regulations to carry out this section."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8432b the following:

"8432c. Contributions of certain persons reemployed after service with international organizations."

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to persons reemployed on or after the date of enactment of this Act.

SEC. 333. HOME SERVICE TRANSFER ALLOWANCE.

Section 5922 of title 5, United States Code is amended by adding at the end the following new subsection:

"(f) Upon the death of an employee, a transfer allowance under section 5924(2)(B) may be furnished to any spouse or dependent of such employee for the purpose of returning such spouse or dependent to the United States."

SEC. 334. PARENTAL CHOICE IN EDUCATION.

Section 5924(4) of title 5, United States Code, is amended—

(1) in subparagraph (A), by striking "between that post and the nearest locality where adequate schools are available," and inserting "between that post and the school chosen by the employee, not to exceed the total cost to the Government of the dependent attending an adequate school in the nearest locality where an adequate school is available,"; and

(2) by adding at the end the following new subparagraph:

"(C) In those cases in which an adequate school is available at the post of the em-

ployee, if the employee chooses to educate the dependent at a school away from post, the education allowance which includes board and room, and periodic travel between the post and the school chosen, shall not exceed the total cost to the Government of the dependent attending an adequate school at the post of the employee."

SEC. 335. MEDICAL EMERGENCY ASSISTANCE.

Section 5927 of title 5, United States Code, is amended—

(1) by inserting "(a)" before "Up"; and

(2) by adding at the end the following:

"(b)(1) Subject to paragraph (2), up to three months' pay may be paid in advance to—

"(A) a United States citizen employee of an agency (other than a United States citizen employed under section 311(a) of the Foreign Service Act of 1980 (22 U.S.C. 3951(a))—

"(i) who is assigned or located outside of the United States pursuant to Government authorization; and

"(ii) who must, or has a family member who must, undergo outside of the United States medical treatment of the nature specified in regulations promulgated by the Secretary of State; and

"(B) each foreign national employee appointed under section 303 of the Foreign Service Act of 1980 (22 U.S.C. 3943) and each United States citizen employed under section 311(a) of that Act (22 U.S.C. 3951(a)) who is not a family member of a government employee assigned abroad—

"(i) who is located outside of the country of employment pursuant to United States Government authorization; and

"(ii) who must undergo outside the country of employment medical treatment of the nature specified in regulations promulgated by the Secretary of State.

"(2) Not more than 3 months pay may be advanced to an employee with respect to any single illness or injury, without regard to the number of courses of medical treatment required by the employee.

"(3)(A) Subject to the adjustment of the account of an employee under subparagraph (B) and other applicable provisions of law, the amount paid to an employee in advance shall be equal to the rate of pay authorized with respect to the employee on the date the advance payment is made under agency procedures governing other advance payments permitted under this subchapter.

"(B) The head of each agency shall provide for—

"(i) the review of the account of each employee of the agency who receives any advance payment under this section; and

"(ii) the recovery of the amount of pay or waiver thereof.

"(4) For the purposes of this subsection, the term 'country of employment' means the country outside the United States where the employee was appointed for employment or employed by the United States Government."

SEC. 336. REPORT CONCERNING FINANCIAL DISADVANTAGES FOR ADMINISTRATIVE AND TECHNICAL PERSONNEL.

(a) FINDINGS.—Congress finds that administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees concerning the extent to which administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status, including proposals to alleviate such disadvantages.

SEC. 337. STATE DEPARTMENT INSPECTOR GENERAL AND PERSONNEL INVESTIGATIONS.

(a) AMENDMENT OF THE FOREIGN SERVICE ACT OF 1980.—Section 209(c) of the Foreign Service Act of 1980 (22 U.S.C. 3929(c)) is amended by adding at the end the following:

“(5) INVESTIGATIONS.—

“(A) CONDUCT OF INVESTIGATIONS.—In conducting investigations of potential violations of Federal criminal law or Federal regulations, the Inspector General shall—

“(i) abide by professional standards applicable to Federal law enforcement agencies; and

“(ii) permit each subject of an investigation an opportunity to provide exculpatory information.

“(B) REPORTS OF INVESTIGATIONS.—In order to ensure that reports of investigations are thorough and accurate, the Inspector General shall—

“(i) make every reasonable effort to ensure that any person named in a report of investigation has been afforded an opportunity to refute any allegation or assertion made regarding that person's actions;

“(ii) include in every report of investigation any exculpatory information, as well as any inculpatory information, that has been discovered in the course of the investigation.”.

(b) ANNUAL REPORT.—Section 209(d)(2) of the Foreign Service Act of 1980 (22 U.S.C. 3929(d)(2)) is amended—

(1) by striking “and” at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting “; and”; and

(3) by inserting after subparagraph (E) the following new subparagraph:

“(F) a description, which may be included, if necessary, in the classified portion of the report, of any instance in a case that was closed during the period covered by the report when the Inspector General decided not to afford an individual the opportunity described in subsection (c)(5)(B)(i) to refute any allegation or assertion, and the rationale for denying such individual that opportunity.”.

(c) STATUTORY CONSTRUCTION.—Nothing in the amendments made by this section may be construed to modify—

(1) section 209(d)(4) of the Foreign Service Act of 1980 (22 U.S.C. 3929(d)(4));

(2) section 7(b) of the Inspector General Act of 1978 (5 U.S.C. app.);

(3) the Privacy Act of 1974 (5 U.S.C. 552a); or

(4) the provisions of section 2302(b)(8) of title 5 (relating to whistleblower protection).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to cases opened on or after the date of the enactment of this Act.

TITLE IV—EMBASSY SECURITY AND COUNTERTERRORISM MEASURES

SEC. 401. SHORT TITLE.

This title may be cited as the “Secure Embassy Construction and Counterterrorism Act of 1999”.

SEC. 402. FINDINGS.

Congress makes the following findings:

(1) On August 7, 1998, the United States embassies in Nairobi, Kenya, and in Dar es Salaam, Tanzania, were destroyed by simultaneously exploding bombs. The resulting explosions killed 220 persons and injured more than 4,000 others. Twelve Americans and 40 Kenyan and Tanzanian employees of the United States Foreign Service were killed in the attack.

(2) The United States personnel in both Dar es Salaam and Nairobi showed leadership and personal courage in their response to the attacks. Despite the havoc wreaked

upon the embassies, staff in both embassies provided rapid response in locating and rescuing victims, providing emergency assistance, and quickly restoring embassy operations during a crisis.

(3) The bombs are believed to have been set by individuals associated with Osama bin Laden, leader of a known transnational terrorist organization. In February 1998, bin Laden issued a directive to his followers that called for attacks against United States interests anywhere in the world.

(4) Following the bombings, additional threats have been made against United States diplomatic facilities.

(5) Accountability Review Boards were convened following the bombings, as required by Public Law 99-399, chaired by Admiral William J. Crowe, United States Navy (Ret.) (in this section referred to as the “Crowe panels”).

(6) The conclusions of the Crowe panels were strikingly similar to those stated by the Commission chaired by Admiral Bobby Ray Inman, which issued an extensive embassy security report more than 14 years ago.

(7) The Crowe panels issued a report setting out many problems with security at United States diplomatic facilities, in particular the following:

(A) The United States Government has devoted inadequate resources to security against terrorist attacks.

(B) The United States Government places too low a priority on security concerns.

(8) The result has been a failure to take adequate steps to prevent tragedies such as the bombings in Kenya and Tanzania.

(9) The Crowe panels found that there was an institutional failure on the part of the Department of State to recognize threats posed by transnational terrorism and vehicular bombs.

(10) Responsibility for ensuring adequate resources for security programs is widely shared throughout the United States Government, including Congress. Unless the vulnerabilities identified by the Crowe panels are addressed in a sustained and financially realistic manner, the lives and safety of United States employees in diplomatic facilities will continue to be at risk from further terrorist attacks.

(11) Although service in the Foreign Service or other United States Government positions abroad can never be completely without risk, the United States Government must take all reasonable steps to minimize security risks.

SEC. 403. UNITED STATES DIPLOMATIC FACILITY DEFINED.

In this title, the terms “United States diplomatic facility” and “diplomatic facility” mean any chancery, consulate, or other office building used by a United States diplomatic mission or consular post or by personnel of any agency of the United States abroad, except that those terms do not include any facility under the command of a United States area military commander.

SEC. 404. AUTHORIZATIONS OF APPROPRIATIONS.

(a) ESTABLISHMENT OF ACCOUNT.—There is established in the general fund of the Treasury of the United States an appropriations account for the Department of State which shall be known as the “Embassy Construction and Security” account.

(b) PURPOSES.—Funds made available under the “Embassy Construction and Security” account may be used only for the purposes of—

(1) the acquisition of United States diplomatic facilities and, if necessary, any residences or other structures located in close physical proximity to such facilities, or

(2) the provision of major security enhancements to United States diplomatic facilities,

necessary to bring the United States Government into compliance with all requirements applicable to the security of United States diplomatic facilities, including the relevant requirements set forth in section 406.

(c) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Department of State under “Embassy Construction and Security”—

(A) for fiscal year 2000, \$600,000,000;

(B) for fiscal year 2001, \$600,000,000;

(C) for fiscal year 2002, \$600,000,000;

(D) for fiscal year 2003, \$600,000,000; and

(E) for fiscal year 2004, \$600,000,000.

(2) AVAILABILITY OF AUTHORIZATIONS.—Authorizations of appropriations under paragraph (1) shall remain available until the appropriations are made.

(3) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

SEC. 405. OBLIGATIONS AND EXPENDITURES.

(a) REPORT AND PRIORITY OF OBLIGATIONS.—

(1) REPORT.—Not later than 90 days after the date of enactment of this Act, and on February 1 of each year for 5 years thereafter, the Secretary of State shall submit a classified report to the appropriate congressional committees identifying each diplomatic facility that is a priority for replacement or for any major security enhancement because of its vulnerability to terrorist attack (by reason of the terrorist threat and the current condition of the facility). The report shall list such facilities in groups of 20. The groups shall be ranked in order from most vulnerable to least vulnerable to such an attack.

(2) PRIORITY ON USE OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), funds made available in the “Embassy Construction and Security” account for a particular project may be used only for those facilities which are listed in the first four groups described in paragraph (1).

(B) EXCEPTIONS.—Funds made available in the “Embassy Construction and Security” account may be used for facilities which are not in the first four groups, if the Secretary of State certifies to the appropriate congressional committees that such use of the funds is in the national interest of the United States.

(b) CONGRESSIONAL NOTIFICATION REQUIRED PRIOR TO TRANSFER OF FUNDS.—Prior to the transfer of funds from the “Embassy Construction and Security” account to any other account, the Secretary of State shall notify the appropriate congressional committees in accordance with the procedures applicable to a reprogramming of funds under section 34(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706(a)).

(c) SEMIANNUAL REPORTS ON ACQUISITION AND MAJOR SECURITY UPGRADES.—On June 1 and December 1 of each year, the Secretary of State shall submit a report to the appropriate congressional committees on the embassy construction and security program authorized under this title. The report shall include—

(1) obligations and expenditures—

(A) during the previous six months; and

(B) since the establishment of the “Embassy Construction and Security” account;

(2) projected obligations and expenditures during the four fiscal quarters following the submission of the report, and how these obligations and expenditures will improve security conditions of specific diplomatic facilities; and

(3) the status of ongoing acquisition and major security enhancement projects, including any significant changes in—

(A) the anticipated budgetary requirements for such projects;

(B) the anticipated schedule of such projects; and

(C) the anticipated scope of the projects.

SEC. 406. SECURITY REQUIREMENTS FOR UNITED STATES DIPLOMATIC FACILITIES.

(a) IN GENERAL.—The following security requirements shall apply with respect to United States diplomatic facilities:

(1) THREAT ASSESSMENTS.—

(A) EMERGENCY ACTION PLAN.—The Emergency Action Plan (EAP) of each United States mission shall address the threat of large explosive attacks from vehicles and the safety of employees during such an explosive attack.

(B) SECURITY ENVIRONMENT THREAT LIST.—The Security Environment Threat List shall contain a section that addresses potential acts of international terrorism against United States diplomatic facilities based on threat identification criteria that emphasize the threat of transnational terrorism and include the local security environment, host government support, and other relevant factors such as cultural realities.

(2) SITE SELECTION.—

(A) IN GENERAL.—In selecting sites for new United States diplomatic facilities abroad, all personnel of United States Government agencies except those under the command of a United States area military commander shall be located on the same compound.

(B) WAIVER.—

(i) IN GENERAL.—The Secretary of State may waive subparagraph (A) if—

(I) the Secretary and the head of each agency employing affected personnel determine and certify to the appropriate congressional committees that security so permits, and it is in the national interest of the United States to do so; and

(II) the Secretary provides the appropriate congressional committees in writing the reasons justifying the determination under subparagraph (I).

(ii) AUTHORITY NOT DELEGABLE.—The Secretary may not delegate the authority provided in clause (i).

(C) CONGRESSIONAL NOTIFICATION.—Any waiver under this paragraph may be exercised only on a date that is at least 15 days after notification of the intention to waive this paragraph has been provided to the appropriate congressional committees.

(3) PERIMETER DISTANCE.—

(A) REQUIREMENT.—Each newly acquired United States diplomatic facility shall be sited not less than 100 feet from the perimeter of the property on which the facility is to be situated.

(B) WAIVER.—

(i) IN GENERAL.—The Secretary of State may waive subparagraph (A) if—

(I) the Secretary determines and certifies to the appropriate congressional committees that security so permits, and it is in the national interest of the United States to do so; and

(II) the Secretary provides the appropriate congressional committees in writing the reasons justifying the determination under subparagraph (I).

(ii) AUTHORITY NOT DELEGABLE.—The Secretary may not delegate the authority provided in clause (i).

(4) CRISIS MANAGEMENT TRAINING.—

(A) TRAINING OF HEADQUARTERS STAFF.—The appropriate personnel of the Department of State headquarters staff shall undertake crisis management training for mass casualty and mass destruction incidents relating to diplomatic facilities for the purpose of bringing about a rapid response to such inci-

dents from Department of State headquarters in Washington, D.C.

(B) TRAINING OF PERSONNEL ABROAD.—A program of appropriate instruction in crisis management shall be provided to personnel at United States diplomatic facilities abroad.

(5) STATE DEPARTMENT SUPPORT.—

(A) FOREIGN EMERGENCY SUPPORT TEAM.—The Foreign Emergency Support Team (FEST) of the Department of State shall receive sufficient support from the Department, including—

(i) conducting routine training exercises of the FEST;

(ii) providing personnel identified to serve on the FEST as a collateral duty;

(iii) providing personnel to assist in activities such as security, medical relief, public affairs, engineering, and building safety; and

(iv) providing such additional support as may be necessary to enable the FEST to provide support in a post-crisis environment involving mass casualties and physical damage.

(B) FEST AIRCRAFT.—

(i) REPLACEMENT AIRCRAFT.—The President shall develop a plan to replace on a priority basis the current FEST aircraft funded by the Department of Defense with a dedicated, capable, and reliable replacement aircraft and backup aircraft, to be operated and maintained by the Department of Defense.

(ii) REPORT.—Not later than 60 days after the date of enactment of this Act, the President shall submit a report to the appropriate congressional committees describing the aircraft selected pursuant to clause (i) and the arrangements for the funding, operation, and maintenance of that aircraft.

(6) RAPID RESPONSE PROCEDURES.—The Secretary of State shall enter into a memorandum of understanding with the Secretary of Defense setting out rapid response procedures for mobilization of personnel and equipment of their respective departments to provide more effective assistance in times of emergency with respect to United States diplomatic facilities.

(7) STORAGE OF EMERGENCY EQUIPMENT AND RECORDS.—All United States diplomatic facilities shall have emergency equipment and records required in case of an emergency situation stored at an off-site facility.

(b) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The President may waive the application of paragraph (2) or (3) of subsection (a) with respect to a diplomatic facility, other than a United States diplomatic mission or consular post or a United States Agency for International Development mission, if the President determines that—

(A) it is important to the national security of the United States to so exempt that facility; and

(B) all feasible steps are being taken, consistent with the national security requirements that require the waiver, to minimize the risk and the possible consequences of a terrorist attack involving that facility or its personnel.

(2) PERIODIC REPORTS.—

(A) IN GENERAL.—Not later than January 1, 2000, and every six months thereafter, the President shall submit to the appropriate congressional committees a classified report describing—

(i) the waivers that have been exercised under this subsection during the preceding six-month period or, in the case of the initial report, during the period since the date of enactment of this Act; and

(ii) the steps taken to maintain maximum feasible security at the facilities involved.

(B) SPECIAL RULE.—Any waiver that, for national security reasons, may not be described in a report required by subparagraph (A) shall be noted in that report and de-

scribed in an appendix submitted to the congressional committees with direct oversight responsibility for the facility.

(c) STATUTORY CONSTRUCTION.—Nothing in this section alters or amends existing security requirements not addressed by this section.

SEC. 407. CLOSURE OF VULNERABLE POSTS.

(a) REVIEW.—The Secretary of State shall review the findings of the Overseas Presence Advisory Panel.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after submission of the Overseas Presence Panel Report, the Secretary of State shall submit a report to Congress setting forth the results of the review conducted under subsection (a).

(2) ELEMENTS OF THE REPORT.—The report shall—

(A) specify whether any United States diplomatic facility should be closed because—

(i) the facility is highly vulnerable and subject to threat of terrorist attack; and

(ii) adequate security enhancements cannot be provided to the facility;

(B) in the event that closure of a diplomatic facility is required, identify plans to provide secure premises for permanent use by the United States diplomatic mission, whether in country or in a regional United States diplomatic facility, or for temporary occupancy by the mission in a facility pending acquisition of new buildings;

(C) outline the potential for reduction or transfer of personnel or closure of missions if technology is adequately exploited for maximum efficiencies;

(D) examine the possibility of creating regional missions in certain parts of the world;

(E) in the case of diplomatic facilities that are part of the Special Embassy Program, report on the foreign policy objectives served by retaining such missions, balancing the importance of these objectives against the well-being of United States personnel; and

(F) examine the feasibility of opening new regional outreach centers, modeled on the system used by the United States Embassy in Paris, France, with each center designed to operate—

(i) at no additional cost to the United States Government;

(ii) with staff consisting of one or two Foreign Service officers currently assigned to the United States diplomatic mission in the country in which the center is located; and

(iii) in a region of the country with high gross domestic product (GDP), a high density population, and a media market that not only includes but extends beyond the region.

SEC. 408. ACCOUNTABILITY REVIEW BOARDS.

Section 301 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4831) is amended to read as follows:

“SEC. 301. ACCOUNTABILITY REVIEW BOARDS.

“(a) IN GENERAL.

“(1) CONVENING A BOARD.—Except as provided in paragraph (2), in any case of serious injury, loss of life, or significant destruction of property at or related to a United States Government mission abroad, and in any case of a serious breach of security involving intelligence activities of a foreign government directed at a United States Government mission abroad, which is covered by the provisions of titles I through IV (other than a facility or installation subject to the control of a United States area military commander), the Secretary of State shall convene an Accountability Review Board (in this title referred to as the ‘Board’). The Secretary shall not convene a Board where the Secretary determines that a case clearly involves only causes unrelated to security.

“(2) DEPARTMENT OF DEFENSE FACILITIES AND PERSONNEL.—The Secretary of State is

not required to convene a Board in the case of an incident described in paragraph (1) that involves any facility, installation, or personnel of the Department of Defense with respect to which the Secretary has delegated operational control of overseas security functions to the Secretary of Defense pursuant to section 106 of this Act. In any such case, the Secretary of Defense shall conduct an appropriate inquiry. The Secretary of Defense shall report the findings and recommendations of such inquiry, and the action taken with respect to such recommendations, to the Secretary of State and Congress.

“(b) DEADLINES FOR CONVENING BOARDS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of State shall convene a Board not later than 60 days after the occurrence of an incident described in subsection (a)(1), except that such 60-day period may be extended for two additional 30-day periods if the Secretary determines that the additional period or periods are necessary for the convening of the Board.

“(2) DELAY IN CASES INVOLVING INTELLIGENCE ACTIVITIES.—With respect to breaches of security involving intelligence activities, the Secretary of State may delay the establishment of a Board if, after consultation with the chairman of the Select Committee on Intelligence of the Senate and the chairman of the Permanent Select Committee on Intelligence of the House of Representatives, the Secretary determines that doing so would compromise intelligence sources and methods. The Secretary shall promptly advise the chairmen of such committees of each determination pursuant to this paragraph to delay the establishment of a Board.

“(c) NOTIFICATION TO CONGRESS.—Whenever the Secretary of State convenes a Board, the Secretary shall promptly inform the chairman of the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives—

“(1) that a Board has been convened;

“(2) of the membership of the Board; and

“(3) of other appropriate information about the Board.”.

SEC. 409. AWARDS OF FOREIGN SERVICE STARS.

The State Department Basic Authorities Act of 1956 is amended by inserting after section 36 (22 U.S.C. 2708) the following new section:

“SEC. 36A. AWARDS OF FOREIGN SERVICE STARS.

“(a) AUTHORITY TO AWARD.—The President, upon the recommendation of the Secretary, may award a Foreign Service star to any member of the Foreign Service or any other civilian employee of the Government of the United States who, after August 1, 1998, while employed at, or assigned permanently or temporarily to, an official mission overseas or while traveling abroad on official business, incurred a wound or other injury or an illness (whether or not the wound, other injury, or illness resulted in death) in a case described in subsection (b)—

“(1) as the person was performing official duties;

“(2) as the person was on the premises of a United States mission abroad; or

“(3) by reason of the person's status as a United States Government employee.

“(b) CASES RESULTING FROM UNLAWFUL CONDUCT.—Cases covered by subsection (a) include cases of wounds or other injuries incurred as a result of terrorist or military action, civil unrest, or criminal activities directed at any facility of the Government of the United States.

“(c) SELECTION CRITERIA.—The Secretary shall prescribe the procedures for identifying and considering persons eligible for award of a Foreign Service star and for selecting the persons to be recommended for the award.

“(d) AWARD IN THE EVENT OF DEATH.—If a person selected for award of a Foreign Service star dies before being presented the award, the award may be made and the star presented to the person's family or to the person's representative, as designated by the President.

“(e) FORM OF AWARD.—The Secretary shall prescribe the design of the Foreign Service star. The award may not include a stipend or any other cash payment.

“(f) FUNDING.—Any expenses incurred in awarding a person a Foreign Service star may be paid out of appropriations available at the time of the award for personnel of the department or agency of the United States Government in which the person was employed when the person incurred the wound, injury, or illness upon which the award is based.”.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

SEC. 501. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—The following amounts are authorized to be appropriated to carry out the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL BROADCASTING ACTIVITIES.—For “International Broadcasting Activities”, \$408,979,000 for the fiscal year 2000, and \$408,979,000 for the fiscal year 2001.

(2) RADIO CONSTRUCTION.—For “Radio Construction”, \$20,868,000 for the fiscal year 2000, and \$20,868,000 for the fiscal year 2001.

(3) BROADCASTING TO CUBA.—For “Broadcasting to Cuba”, \$22,743,000 for the fiscal year 2000 and \$22,743,000 for the fiscal year 2001.

SEC. 502. REAUTHORIZATION OF RADIO FREE ASIA.

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively;

(3) in subsection (c) (as redesignated by paragraph (2))—

(A) in paragraph (1)—

(i) by striking “(A)”; and

(ii) by striking subparagraph (B);

(B) in paragraph (2), by striking “September 30, 1999” and inserting “September 30, 2005”;

(C) in paragraph (4), by striking “\$22,000,000 in any fiscal year” and inserting “\$28,000,000 in each of the fiscal years 2000 and 2001”;

(D) by striking paragraph (5); and

(E) by redesignating paragraph (6) as paragraph (5); and

(4) by amending subsection (f) (as redesignated by paragraph (2)) to read as follows:

“(f) SUNSET PROVISION.—The Board may not make any grant for the purpose of operating Radio Free Asia after September 30, 2005.”.

SEC. 503. NOMINATION REQUIREMENTS FOR THE CHAIRMAN OF THE BROADCASTING BOARD OF GOVERNORS.

Section 304(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6203 (b)(2)), is amended—

(1) by striking “designate” and inserting “appoint”; and

(2) by adding at the end the following: “, subject to the advice and consent of the Senate”.

TITLE VI—ARMS CONTROL, NON-PROLIFERATION, AND NATIONAL SECURITY

SEC. 601. SHORT TITLE.

This title may be cited as the “Arms Control, Nonproliferation, and National Security Act of 1999”.

SEC. 602. DEFINITIONS.

In this title:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the position of Assistant Secretary of State for Verification and Compliance designated under section 612.

(2) CONVENTION ON NUCLEAR SAFETY.—The term “Convention on Nuclear Safety” means the Convention on Nuclear Safety, done at Vienna on September 20, 1994 (Senate Treaty Document 104-6).

(3) EXECUTIVE AGENCY.—The term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(4) INTELLIGENCE COMMUNITY.—The term “intelligence community” has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(5) START TREATY OR TREATY.—The term “START Treaty” or “Treaty” means the Treaty With the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, including all agreed statements, annexes, protocols, and memoranda, signed at Moscow on July 31, 1991.

(6) START II TREATY.—The term “START II Treaty” means the Treaty Between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms, and related protocols and memorandum of understanding, signed at Moscow on January 3, 1993.

(7) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

Subtitle A—Arms Control

CHAPTER 1—EFFECTIVE VERIFICATION OF COMPLIANCE WITH ARMS CONTROL AGREEMENTS

SEC. 611. KEY VERIFICATION ASSETS FUND.

(a) IN GENERAL.—The Secretary of State is authorized to transfer funds available to the Department of State under this section to the Department of Defense, Department of Energy, or any agency, entity, or other component of the intelligence community, as needed, for retaining, researching, developing, or acquiring technologies or programs relating to the verification of arms control, nonproliferation and disarmament agreements or commitments.

(b) PROHIBITION ON REPROGRAMMING.—Notwithstanding any other provision of law, funds made available to carry out this section may not be used for any purpose other than the purposes specified in subsection (a).

(c) FUNDING.—Of the total amount of funds authorized to be appropriated to the Department of State by this Act for the fiscal years 2000 and 2001, \$5,000,000 is authorized to be available for each such fiscal year to carry out subsection (a).

(d) DESIGNATION OF FUND.—Amounts made available under subsection (c) may be referred to as the “Key Verification Assets Fund”.

SEC. 612. ASSISTANT SECRETARY OF STATE FOR VERIFICATION AND COMPLIANCE.

(a) DESIGNATION OF POSITION.—The Secretary of State shall designate one of the Assistant Secretaries of State authorized by section 1(c)(1) of the State Department Basic

Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)) as the Assistant Secretary of State for Verification and Compliance. The Assistant Secretary shall report to the Under Secretary of State for Arms Control and International Security.

(b) **DIRECTIVE GOVERNING THE ASSISTANT SECRETARY OF STATE.**—

(1) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Secretary of State shall issue a directive governing the position of Assistant Secretary.

(2) **ELEMENTS OF THE DIRECTIVE.**—The directive issued under paragraph (1) shall set forth, consistent with this section—

(A) the duties of the Assistant Secretary;

(B) the relationships between the Assistant Secretary and other officials of the Department of State;

(C) any delegation of authority from the Secretary of State to the Assistant Secretary; and

(D) such other matters as the Secretary considers appropriate.

(c) **DUTIES.**—

(1) **IN GENERAL.**—The Assistant Secretary shall have as his principal responsibility the overall supervision (including oversight of policy and resources) within the Department of State of all matters relating to verification and compliance with international arms control, nonproliferation, and disarmament agreements or commitments.

(2) **PARTICIPATION OF THE ASSISTANT SECRETARY.**—

(A) **PRIMARY ROLE.**—Except as provided in subparagraphs (B) and (C), the Assistant Secretary, or his designee, shall participate in all interagency groups or organizations within the executive branch of Government that assess, analyze, or review United States planned or ongoing policies, programs, or actions that have a direct bearing on verification or compliance matters, including interagency intelligence committees concerned with the development or exploitation of measurement or signals intelligence or other national technical means of verification.

(B) **REQUIREMENT FOR DESIGNATION.**—Subparagraph (A) shall not apply to groups or organizations on which the Secretary of State or the Undersecretary of State for Arms Control and International Security sits, unless such official designates the Assistant Secretary to attend in his stead.

(C) **NATIONAL SECURITY LIMITATION.**—

(i) The President may waive the provisions of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(ii) With respect to an interagency group or organization, or meeting thereof, working with exceptionally sensitive information contained in compartments under the control of the Director of Central Intelligence, the Secretary of Defense, or the Secretary of Energy, such Director or Secretary, as the case may be, may waive the provision of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(iii) Any waiver of participation under clause (i) or (ii) shall be transmitted in writing to the appropriate committees of Congress.

(3) **RELATIONSHIP TO THE INTELLIGENCE COMMUNITY.**—The Assistant Secretary shall be the principal policy community representative to the intelligence community on verification and compliance matters.

(4) **REPORTING RESPONSIBILITIES.**—The Assistant Secretary shall have responsibility within the Department of State for—

(A) all reports required pursuant to section 37 of the Arms Control and Disarmament Act (22 U.S.C. 2577);

(B) so much of the report required under paragraphs (5) through (10) of section 51(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) as relates to verification or compliance matters; and

(C) other reports being prepared by the Department of State as of the date of enactment of this Act relating to arms control, nonproliferation, or disarmament verification or compliance matters.

SEC. 613. ENHANCED ANNUAL ("PELL") REPORT.

Section 51(a) of the Arms Control and Disarmament Act (22 U.S.C. 2593a(a)) is amended—

(1) by striking "and" at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting a semicolon;

(3) in paragraph (6), by inserting:

(A) "or commitments, including the Missile Technology Control Regime," after "agreements" the first time it appears;

(B) "or commitments" after "agreements" the second time it appears; and

(C) "or commitment" after "agreement";

(4) by adding at the end the following:

"(8) a specific identification, to the maximum extent practicable in unclassified form, of each and every question that exists with respect to compliance by other countries with arms control, nonproliferation, and disarmament agreements with the United States."; and

(5) by adding at the end the following new subsection:

"(d) Each report shall include a discussion of each significant issue contained in a previous report issued during 1995, or after December 31, 1995, pursuant to paragraph (6), until the question or concern has been resolved and such resolution has been reported to the appropriate committees of Congress (as defined in section 601(7) of the Foreign Relations Authorization Act, Fiscal Years 2000 and 2001) in detail."

SEC. 614. REPORT ON START AND START II TREATIES MONITORING ISSUES.

(a) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Director of Central Intelligence shall submit a detailed classified report to the appropriate committees of Congress including the following:

(1) A comprehensive identification of all monitoring activities associated with the START and START II treaties.

(2) The specific intelligence community assets and capabilities, including analytical capabilities, that the Senate was informed, prior to the Senate giving its advice and consent to ratification of the treaties, would be necessary to accomplish those activities.

(3) An identification of the extent to which those assets and capabilities have, or have not, been attained or retained, and the corresponding effect this has had upon United States monitoring confidence levels.

(4) An assessment of any Russian activities relating to the START Treaty which have had an impact upon the ability of the United States to monitor Russian adherence to the Treaty.

(b) **COMPARTMENTED ANNEX.**—Exceptionally sensitive, compartmented information in the report required by this section may be provided in a compartmented annex submitted to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 615. STANDARDS FOR VERIFICATION.

(a) **DEFINITIONS.**—It is the sense of the Senate that the following terms when used in publications of the United States Govern-

ment, or in oral representations by officials of the United States Government, should have the following meanings:

(1) **EFFECTIVELY VERIFIABLE.**—The term "effectively verifiable" means that the requirements of subparagraphs (A) and (B) are met, as follows:

(A) The Director of Central Intelligence has certified to the President that the intelligence community has a high degree of confidence, with respect to a particular treaty or other agreement, in its ability to detect any militarily significant violation of the treaty or other agreement in a timely fashion, and to detect patterns of marginal violation over time. In determining the intelligence community's confidence, the Director should assume that all measures of concealment could be employed and that standard practices could be altered so as to impede monitoring.

(B) The Secretaries of State and Defense and the Chairman of the Joint Chiefs of Staff have certified to the President that they have a high degree of confidence, with respect to a particular treaty or other agreement, that the United States will be able to reach a legal and technical determination regarding any militarily significant violation of the treaty or other agreement in a timely fashion, and to reach such a determination regarding patterns of marginal violation, once detected. In determining the level of confidence under this subparagraph, the Secretaries of State and Defense and the Chairman of the Joint Chiefs of Staff should assume that all measures of concealment could be employed and that standard practices could be altered so as to impede monitoring.

(2) **MILITARILY SIGNIFICANT VIOLATION.**—The Chairman of the Joint Chiefs of Staff, in consultation with the Secretary of Defense, has sole responsibility for determining with specificity, for purposes of any treaty or other international agreement having implications for the national security of the United States, what constitutes a militarily significant violation. In making such a determination, the Chairman should give great weight to his judgment that the violation could pose a threat to the national security interests of the United States.

(3) **TIMELY FASHION DEFINED.**—In this section, the term "timely fashion" means in sufficient time for the United States to take remedial action to safeguard the national security.

(b) **CONFORMING AMENDMENTS.**—Section 37(a) of the Arms Control and Disarmament Act (22 U.S.C. 2577(a)) is amended—

(1) by striking "adequately";

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e); and

(3) by inserting after subsection (a) the following new subsection:

"(b) **ASSESSMENTS UPON REQUEST.**—Upon the request of the chairman or ranking minority member of the Committee on Foreign Relations of the Senate or the Committee on International Relations of the House of Representatives, in case of an arms control, nonproliferation, or disarmament proposal—

"(1) under consideration for presentation to a foreign country by the United States;

"(2) presented to a foreign country by the United States; or

"(3) presented to the United States by a foreign country;

the Secretary of State shall submit a report to the Committee on the degree to which elements of the proposal are capable of being verified."

SEC. 616. CONTRIBUTION TO THE ADVANCEMENT OF SEISMOLOGY.

The United States Government shall make available to the public in real time, or as quickly as possible, all raw seismological

data provided to the United States Government by any international organization that is directly responsible for seismological monitoring.

SEC. 617. PROTECTION OF UNITED STATES COMPANIES.

The United States National Authority (as designated pursuant to section 101 of the Chemical Weapons Convention Implementation Act of 1998 (as contained in division I of Public Law 105-277)) shall reimburse the Federal Bureau of Investigation for all costs incurred by the Bureau in connection with implementation of section 303(b)(2)(A) of that Act, except that such reimbursement may not exceed \$1,000,000 in any fiscal year.

SEC. 618. PRESERVATION OF THE START TREATY VERIFICATION REGIME.

(a) FINDINGS.—The Senate makes the following findings:

(1) Paragraph 6 of Article XI of the START Treaty states the following: "Each Party shall have the right to conduct reentry vehicle inspections of deployed ICBMs and SLBMs to confirm that such ballistic missiles contain no more reentry vehicles than the number of warheads attributed to them."

(2) Paragraph 1 of Section IX of the Inspections Protocol to the START Treaty states that each Party "shall have the right to conduct a total of ten reentry vehicle inspections each year".

(3) Paragraph 4 of Section XVIII of the Inspections Protocol to the START Treaty states that the Parties "shall, when possible, clarify ambiguities regarding factual information contained in the inspection report" that each inspection team must provide at the end of an inspection, pursuant to paragraph 1 of Section XVIII of that Protocol.

(4) Paragraph 12 of Annex 3 to the Inspections Protocol to the START Treaty states that, once a missile has been selected and prepared for reentry vehicle inspection, the inspectors shall be given "a clear, unobstructed view of the front section [of the missile], to ascertain that the front section contains no more reentry vehicles than the number of warheads attributed to missiles of that type".

(5) Paragraph 13 of Annex 3 to the Inspections Protocol to the START Treaty states the following: "If a member of the in-country escort declares that an object contained in the front section is not a reentry vehicle, the inspected Party shall demonstrate to the satisfaction of the inspectors that this object is not a reentry vehicle."

(6) Section II of Annex 8 to the Inspections Protocol to the START Treaty provides that radiation detection equipment may be used during reentry vehicle inspections.

(7) Paragraph F.1 of Section VI of Annex 8 to the Inspections Protocol to the START Treaty states the following: "Radiation detection equipment shall be used to measure nuclear radiation levels in order to demonstrate that objects declared to be non-nuclear are non-nuclear."

(8) While the use of radiation detection equipment may help to determine whether an object that "a member of the in-country escort declares...is not a reentry vehicle" is a reentry vehicle with a nuclear warhead, it cannot help to determine whether that object is a reentry vehicle with a non-nuclear warhead.

(9) Article XV of the START Treaty provides for a Joint Compliance and Inspection Commission that shall meet to "resolve questions relating to compliance with the obligations assumed".

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States should assert and, to the maximum extent possible, exercise the

right for reentry vehicle inspectors to obtain a clear, unobstructed view of the front section of a deployed SS-18 ICBM selected for reentry vehicle inspection pursuant to paragraph 6 of Article XI of the START Treaty;

(2) the United States should assert and, to the maximum extent possible, obtain Russian compliance with the obligation of the host Party, pursuant to paragraph 13 of Annex 3 to the Inspections Protocol to the START Treaty, to demonstrate to the satisfaction of the inspectors that an object which is declared not to be a reentry vehicle is not a reentry vehicle;

(3) if a member of the in-country escort declares that an object contained in the front section of a deployed SS-18 ICBM selected for reentry vehicle inspection pursuant to paragraph 6 of Article XI of the START Treaty is not a reentry vehicle, but the inspected Party does not demonstrate to the satisfaction of the inspectors that this object is not a reentry vehicle, the United States inspection team should record this fact in the official inspection report as an ambiguity and the United States should raise this matter in the Joint Compliance and Inspection Commission as a concern relating to compliance of Russia with the obligations assumed under the Treaty;

(4) the United States should not agree to any arrangement whereby the use of radiation detection equipment in a reentry vehicle inspection, or a combination of the use of such equipment and Russian assurances regarding SS-18 ICBMs, would suffice to demonstrate to the satisfaction of the inspectors that an object which is declared not to be a reentry vehicle is not a reentry vehicle; and

(5) the United States should not agree to any arrangement whereby the use of technical equipment in a reentry vehicle inspection would suffice to demonstrate to the satisfaction of the inspectors that an object which is declared not to be a reentry vehicle is not a reentry vehicle, unless the Director of Central Intelligence, in consultation with the Secretaries of State, Defense, and Energy, has determined that such equipment can demonstrate to the satisfaction of the inspectors that an object which is declared not to be a reentry vehicle is not a reentry vehicle.

(c) START TREATY DEFINED.—In this section, the term "START Treaty" means the Treaty With the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, including all agreed statements, annexes, protocols, and memoranda, signed at Moscow on July 31, 1991.

CHAPTER 2—LANDMINE POLICY, DEMINING ACTIVITIES, AND RELATED MATTERS

SEC. 621. CONFORMING AMENDMENT.

Subsection (d) of section 248 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 112 Stat. 1958) is amended by inserting ", and to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives," after "congressional defense committees".

SEC. 622. DEVELOPMENT OF ADVANCED HUMANITARIAN DEMINING CAPABILITIES FUND.

(a) IN GENERAL.—The Secretary of State is authorized to transfer funds available to the Department of State under this section to the Department of Defense, Department of Energy, or any of the military departments, for researching, developing, adapting, and deploying technologies to achieve the destruction or other removal of antipersonnel landmines for humanitarian purposes.

(b) PROHIBITION ON REPROGRAMMING.—Notwithstanding any other provision of law,

funds made available to carry out this section may not be used for any purpose other than the purposes specified in subsection (a).

(c) FUNDING.—Of the total amount of funds authorized to be appropriated to the Department of State by this Act for the fiscal years 2000 and 2001, \$5,000,000 is authorized to be available for each such fiscal year to carry out subsection (a).

(d) DESIGNATION OF FUND.—Amounts made available under subsection (c) may be referred to as the "Development of Advanced Humanitarian Demining Capabilities Fund".

Subtitle B—Nuclear Nonproliferation, Safety, and Related Matters

SEC. 631. REPORTING BURDEN ON UNITED STATES NUCLEAR INDUSTRY.

In carrying out any United States obligation under the Convention on Nuclear Safety, no Executive agency may impose any new reporting obligation upon any United States business concern.

SEC. 632. AUTHORITY TO SUSPEND NUCLEAR CO-OPERATION FOR FAILURE TO RATIFY CONVENTION ON NUCLEAR SAFETY.

Section 132 of the Atomic Energy Act of 1954 (42 U.S.C. 2160b) is amended—

(1) in the section heading, by inserting before the period the following: "OR THE CONVENTION ON NUCLEAR SAFETY"; and

(2) by inserting "or the Convention on Nuclear Safety" after "Material".

SEC. 633. ELIMINATION OF DUPLICATIVE GOVERNMENT ACTIVITIES.

(a) PRIMARY RESPONSIBILITY OF THE SECRETARY OF STATE.—Congress urges the Secretary of State, in consultation with the Nuclear Regulatory Commission, to ensure that the functions performed by the International Nuclear Regulators Association are undertaken to the maximum extent practicable in connection with implementation of the Convention on Nuclear Safety.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the President shall submit a report to the Committees on Foreign Relations and Appropriations of the Senate and to the Speaker of the House of Representatives—

(1) detailing all activities being undertaken by the United States in the field of international nuclear regulation and nuclear safety, and justifying continuation of such activities if the activities in any way duplicate an activity undertaken pursuant to the Convention on Nuclear Safety; and

(2) identifying all activities terminated pursuant to his certification made on April 9, 1999, in accordance with Condition (1) of the resolution of ratification for the Convention on Nuclear Safety.

SEC. 634. CONGRESSIONAL NOTIFICATION OF NONPROLIFERATION ACTIVITIES.

Section 602(c) of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3282(c)) is amended to read as follows:

"(c)(1) The Department of State, the Department of Defense, the Department of Commerce, the Department of Energy, the Commission, and, with regard to subparagraph (B), the Director of Central Intelligence, shall keep the Committees on Foreign Relations and Governmental Affairs of the Senate and the Committee on International Relations of the House of Representatives fully and currently informed with respect to—

"(A) their activities to carry out the purposes and policies of this Act and to otherwise prevent proliferation, including the proliferation of nuclear, chemical, or biological weapons, or their means of delivery; and

"(B) the current activities of foreign nations which are of significance from the proliferation standpoint.

"(2) For the purposes of this subsection with respect to subparagraph (B), the phrase

'fully and currently informed' means the transmittal of information not later than 60 days after becoming aware of the activity concerned.'".

SEC. 635. EFFECTIVE USE OF RESOURCES FOR NONPROLIFERATION PROGRAMS.

(a) PROHIBITION.—Except as provided in subsection (b), no assistance may be provided by the United States Government to any person who is involved in the research, development, design, testing, or evaluation of chemical or biological weapons for offensive purposes.

(b) EXCEPTION.—The prohibition contained in subsection (a) shall not apply to any activity conducted to title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

SEC. 636. DISPOSITION OF WEAPONS-GRADE MATERIAL.

(a) REPORT ON REDUCTION OF THE STOCKPILE.—Not later than 120 days after signing an agreement between the United States and Russia for the disposition of excess weapons plutonium, the Secretary of Energy, with the concurrence of the Secretary of Defense, shall submit a report to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and to the Speaker of the House of Representatives—

(1) detailing plans for United States implementation of such agreement;

(2) identifying the number of United States warhead "pits" of each type deemed "excess" for the purpose of dismantlement or disposition; and

(3) describing any implications this may have for the Stockpile Stewardship and Management Program.

(b) SUBMISSION OF THE FABRICATION FACILITY AGREEMENT PURSUANT TO LAW.—Whenever the President submits to Congress the agreement to establish a mixed oxide fuel fabrication or production facility in Russia pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), it is the sense of Congress that the Secretary of State should be prepared to certify to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House Representatives that—

(1) arrangements for the establishment of that facility will further United States nuclear non-proliferation objectives and will outweigh the proliferation risks inherent in the use of mixed oxide fuel elements;

(2) a guaranty has been given by Russia that no fuel elements produced, fabricated, reprocessed, or assembled at such facility, and no sensitive nuclear technology related to such facility, will be exported or supplied by the Russian Federation to any country in the event that the United States objects to such export or supply; and

(3) a guaranty has been given by Russia that the facility and all nuclear materials and equipment therein, and any fuel elements or special nuclear material produced, fabricated, reprocessed, or assembled at that facility, including fuel elements exported or supplied by Russia to a third party, will be subject to international monitoring and transparency sufficient to ensure that special nuclear material is not diverted.

(c) DEFINITIONS.—

(1) PRODUCED.—The terms "produce" and "produced" have the same meaning that such terms are given under section 11 u. of the Atomic Energy Act of 1954.

(2) PRODUCTION FACILITY.—The term "production facility" has the same meaning that such term is given under section 11 v. of the Atomic Energy Act of 1954.

(3) SPECIAL NUCLEAR MATERIAL.—The term "special nuclear material" has the meaning that such term is given under section 11 aa. of the Atomic Energy Act of 1954.

SEC. 637. STATUS OF HONG KONG AND MACAO IN UNITED STATES EXPORT LAW.

(a) PRELICENSE VERIFICATION.—Notwithstanding any other provision of law and except as provided in subsections (c) and (f), no license may be approved for the export to Hong Kong or Macao, as the case may be, of any item described in subsection (d) unless appropriate United States officials are provided the right and ability to conduct prelicense verification, in such manner as the United States considers appropriate, of the validity of the stated end-user, and the validity of the stated end-use, as specified on the license application.

(b) POST-SHIPMENT VERIFICATION.—Notwithstanding any other provision of law and except as provided in subsections (c) and (f), in the event that appropriate United States officials are denied the ability to conduct post-shipment verification, in such manner as the United States considers appropriate, of the location and end-use of any item under their jurisdiction that has been exported from the United States to Hong Kong or Macao, then Hong Kong or Macao, as the case may be, shall thereafter be treated in the same manner as the People's Republic of China for the purpose of any export of any item described in subsection (d).

(c) WAIVER AUTHORITY.—The Secretary of State, with respect to any item defined in subsection (d)(1), or the Secretary of Commerce, with respect to any item defined in subsection (d)(2), may waive or remove the imposition of the requirements imposed by subsections (a) and (b) upon a written finding, which shall be transmitted to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives, that—

(1) the case that warranted the imposition of such requirements has been settled to the satisfaction of the United States; or

(2) there are specific reasons why the waiver or removal of such requirements is in the national interest of the United States.

(d) ITEM DEFINED.—The term "item" as used in this section means—

(1) any item controlled on the United States Munitions List under section 38 of the Arms Export Control Act (22 U.S.C. 2778); or

(2) any item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons.

(e) EFFECTIVE DATE.—Effective January 1, 2000, this section shall apply to Macao.

(f) EXCEPTION.—The provisions of this section do not apply to any activity subject to reporting under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

Subtitle C—Miscellaneous Provisions

SEC. 641. REQUIREMENT FOR TRANSMITTAL OF SUMMARIES.

Whenever a United States delegation engaging in negotiations on arms control, non-proliferation, or disarmament submits to the Secretary of State a summary of the activities of the delegation or the status of those negotiations, a copy of each such summary shall be further transmitted by the Secretary of State to the Committee on Foreign Relations of the Senate promptly.

SEC. 642. PROHIBITION ON WITHHOLDING CERTAIN INFORMATION FROM CONGRESS.

(a) PROHIBITION.—No officer or employee of the United States may knowingly withhold information from the chairman or ranking minority member of the Committee on Foreign Relations of the Senate or the Committee on International Relations of the House of Representatives that is required to be transmitted pursuant to subsection (c) or (d) of section 602 of the Nuclear Non-Proliferation Act of 1978.

(b) ISSUANCE OF REGULATIONS.—Not later than January 1, 2000, the Secretaries of State, Defense, Commerce, and Energy, the Director of Central Intelligence, and the Chairman of the Nuclear Regulatory Commission shall issue directives to implement their responsibilities under subsections (c) and (d) of section 602 of the Nuclear Non-Proliferation Act of 1978. Copies of such directives shall be forwarded promptly to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives upon the issuance of the directives.

SEC. 643. REFORM OF THE DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.

(a) ADDITIONAL RESOURCES.—In addition to other amounts authorized to be appropriated for the purposes of the Diplomatic Telecommunications Service Program Office (DTS-PO), of the amounts made available to the Department of State under section 101(a)(2), \$18,000,000 shall be made available only to the DTS-PO for enhancement of Diplomatic Telecommunications Service capabilities.

(b) IMPROVEMENT OF DTS-PO.—In order for the DTS-PO to better manage a fully integrated telecommunications network to service all agencies at diplomatic missions and consular posts, the DTS-PO shall—

(1) ensure that those enhancements of, and the provision of service for, telecommunication capabilities that involve the national security interests of the United States receive the highest prioritization;

(2) not later than December 31, 1999, terminate all leases for satellite systems located at posts in criteria countries, unless all maintenance and servicing of the satellite system is undertaken by United States citizens who have received appropriate security clearances;

(3) institute a system of charges for utilization of bandwidth by each agency beginning October 1, 2000, and institute a comprehensive chargeback system to recover all, or substantially all, of the other costs of telecommunications services provided through the Diplomatic Telecommunications Service to each agency beginning October 1, 2001;

(4) ensure that all DTS-PO policies and procedures comply with applicable policies established by the Overseas Security Policy Board; and

(5) maintain the allocation of the positions of Director and Deputy Director of DTS-PO as those positions were assigned as of June 1, 1999, which assignments shall pertain through fiscal year 2001, at which time such assignments shall be adjusted in the customary manner.

(c) REPORT ON IMPROVING MANAGEMENT.—Not later than March 31, 2000, the Director and Deputy Director of DTS-PO shall jointly submit to the appropriate committees of Congress the Director's plan for improving network architecture, engineering, operations monitoring and control, service metrics reporting, and service provisioning, so as to achieve highly secure, reliable, and robust communications capabilities that meet the needs of both national security agencies and other United States agencies with overseas personnel.

(d) FUNDING OF DTS-PO.—Funds appropriated for allocation to DTS-PO shall be made available only for DTS-PO until a comprehensive chargeback system is in place.

SEC. 644. SENSE OF CONGRESS ON FACTORS FOR CONSIDERATION IN NEGOTIATIONS WITH THE RUSSIAN FEDERATION ON REDUCTIONS IN STRATEGIC NUCLEAR FORCES.

It is the sense of Congress that, in negotiating a START III Treaty with the Russian

Federation, or any other arms control treaty with the Russian Federation making comparable amounts of reductions in United States strategic nuclear forces—

(1) the strategic nuclear forces and nuclear modernization programs of the People's Republic of China and every other nation possessing nuclear weapons should be taken into full consideration in the negotiation of such treaty; and

(2) such programs should not undermine the limitations set forth in the treaty.

SEC. 645. CLARIFICATION OF EXCEPTION TO NATIONAL SECURITY CONTROLS ON SATELLITE EXPORT LICENSING.

Section 1514(b) of Public Law 105-261 is amended by striking all that follows after "EXCEPTION.—" and inserting the following: "Subsections (a)(2), (a)(4), and (a)(8) shall not apply to the export of a satellite or satellite-related items for launch in, or by nationals of, a country that is a member of the North Atlantic Treaty Organization (NATO) or that is a major non-NATO ally (as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q)) of the United States unless, in each instance of a proposed export of such item, the Secretary of State, in consultation with the Secretary of Defense, first provides a written determination to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives that it is in the national security or foreign policy interests of the United States to apply the export controls required under such subsections."

SEC. 646. STUDY ON LICENSING PROCESS UNDER THE ARMS EXPORT CONTROL ACT.

Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the chairman of the Committee on Foreign Relations of the Senate and the chairman of the Committee on International Relations of the House of Representatives a study on the performance of the licensing process pursuant to the Arms Export Control Act, with recommendations on how to improve that performance. The study shall include:

(1) An analysis of the typology of licenses on which action was completed in 1999. The analysis should provide information on major categories of license requests, including—

(A) the number for nonautomatic small arms, automatic small arms, technical data, parts and components, and other weapons;

(B) the percentage of each category staffed to other agencies;

(C) the average and median time taken for the processing cycle for each category when staffed and not staffed;

(D) the average time taken by White House or National Security Council review or scrutiny; and

(E) the average time each spent at the Department of State after a decision had been taken on the license but before a contractor was notified of the decision. For each category the study should provide a breakdown of licenses by country. The analysis also should identify each country that has been identified in the past three years pursuant to section 3(e) of the Arms Export Control Act (22 U.S.C. 2753(e)).

(2) A review of the current computer capabilities of the Department of State relevant to the processing of licenses and its ability to communicate electronically with other agencies and contractors, and what improvements could be made that would speed the process, including the cost for such improvements.

(3) An analysis of the work load and salary structure for export licensing officers of the Office of Defense Trade Control of the Department of State as compared to com-

parable jobs at the Department of Commerce and the Department of Defense.

(4) Any suggestions of the Department of State relating to resources and regulations, and any relevant statutory changes that might expedite the licensing process while furthering the objectives of the Arms Export Control Act.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—People's Republic of China

SEC. 701. FINDINGS.

Congress makes the following findings:

(1) Congress concurs in the conclusions of the Department of State, as set forth in the Country Reports on Human Rights Practices for 1998, on human rights in the People's Republic of China in 1998 as follows:

(A) "The People's Republic of China (PRC) is an authoritarian state in which the Chinese Communist Party (CCP) is the paramount source of power. . . . Citizens lack both the freedom peacefully to express opposition to the party-led political system and the right to change their national leaders or form of government."

(B) "The Government continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms. These abuses stemmed from the authorities' very limited tolerance of public dissent aimed at the Government, fear of unrest, and the limited scope or inadequate implementation of laws protecting basic freedoms."

(C) "Abuses included instances of extrajudicial killings, torture and mistreatment of prisoners, forced confessions, arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process."

(D) "Prison conditions at most facilities remained harsh. . . . The Government infringed on citizens' privacy rights. The Government continued restrictions on freedom of speech and of the press, and tightened these toward the end of the year. The Government severely restricted freedom of assembly, and continued to restrict freedom of association, religion, and movement."

(E) "Discrimination against women, minorities, and the disabled; violence against women, including coercive family planning practices—which sometimes include forced abortion and forced sterilization; prostitution, trafficking in women and children, and the abuse of children all are problems."

(F) "The Government continued to restrict tightly worker rights, and forced labor remains a problem."

(G) "Serious human rights abuses persisted in minority areas, including Tibet and Xinjiang, where restrictions on religion and other fundamental freedoms intensified."

(H) "Unapproved religious groups, including Protestant and Catholic groups, continued to experience varying degrees of official interference and repression."

(I) "Although the Government denies that it holds political or religious prisoners, and argues that all those in prison are legitimately serving sentences for crimes under the law, an unknown number of persons, estimated at several thousand, are detained in violation of international human rights instruments for peacefully expressing their political, religious, or social views."

(2) In addition to the State Department, credible press reports and human rights organizations have documented an intense crackdown on political activists by the Government of the People's Republic of China, involving the harassment, detainment, arrest, and imprisonment of dozens of activists.

(3) The People's Republic of China, as a member of the United Nations, is expected to

abide by the provisions of the Universal Declaration of Human Rights.

(4) The People's Republic of China is a party to numerous international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and is a signatory to the International Covenant on Civil and Political Rights and the Covenant on Economic, Social, and Cultural Rights.

SEC. 702. FUNDING FOR ADDITIONAL PERSONNEL AT DIPLOMATIC POSTS TO REPORT ON POLITICAL, ECONOMIC, AND HUMAN RIGHTS MATTERS IN THE PEOPLE'S REPUBLIC OF CHINA.

Of the amounts authorized to be appropriated for the Department of State by this Act, \$2,200,000 for fiscal year 2000 and \$2,200,000 for fiscal year 2001 shall be made available only to support additional personnel in the United States Embassies in Beijing and Kathmandu, as well as the American consulates in Guangzhou, Shanghai, Shenyang, Chengdu, and Hong Kong, in order to monitor political and economic conditions, including in particular respect for internationally recognized human rights, in the People's Republic of China.

SEC. 703. PRISONER INFORMATION REGISTRY FOR THE PEOPLE'S REPUBLIC OF CHINA.

(a) **REQUIREMENT.**—The Secretary of State shall establish and maintain a registry which shall, to the extent practicable, provide information on all political prisoners, prisoners of conscience, and prisoners of faith in the People's Republic of China. The registry shall be known as the "Prisoner Information Registry for the People's Republic of China".

(b) **INFORMATION IN REGISTRY.**—The registry required by subsection (a) shall include information on the charges, judicial processes, administrative actions, uses of forced labor, incidents of torture, lengths of imprisonment, physical and health conditions, and other matters associated with the incarceration of prisoners in the People's Republic of China referred to in that subsection.

(c) **AVAILABILITY OF FUNDS.**—The Secretary may make funds available to nongovernmental organizations currently engaged in monitoring activities regarding political prisoners in the People's Republic of China in order to assist in the establishment and maintenance of the registry required by subsection (a).

SEC. 704. REPORT REGARDING ESTABLISHMENT OF ORGANIZATION FOR SECURITY AND COOPERATION IN ASIA.

Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report assessing the feasibility and utility of establishing an Organization for Security and Cooperation in Asia which would be modeled after the Organization for Security and Cooperation in Europe.

SEC. 705. SENSE OF CONGRESS REGARDING ORGAN HARVESTING AND TRANSPLANTING IN THE PEOPLE'S REPUBLIC OF CHINA.

It is the sense of Congress that—

(1) the Government of the People's Republic of China should stop the practice of harvesting and transplanting organs for profit from prisoners that it executes;

(2) the Government of the People's Republic of China should be strongly condemned for such organ harvesting and transplanting practice;

(3) the President should bar from entry into the United States any and all officials of the Government of the People's Republic of China known to be directly involved in such organ harvesting and transplanting practice;

(4) individuals subject to the jurisdiction of the United States who are determined to be participating in or otherwise facilitating the sale of organs harvested should be prosecuted to the fullest possible extent of the law; and

(5) the appropriate officials in the United States should interview individuals, including doctors, who may have knowledge of such organ harvesting and transplanting practice.

Subtitle B—Other Matters

SEC. 721. DENIAL OF ENTRY INTO UNITED STATES OF FOREIGN NATIONALS ENGAGED IN ESTABLISHMENT OR ENFORCEMENT OF FORCED ABORTION OR STERILIZATION POLICY.

(a) DENIAL OF ENTRY.—Notwithstanding any other provision of law, the Secretary of State may not issue any visa to, and the Attorney General may not admit to the United States, any foreign national whom the Secretary finds, based on credible and specific information, to have been directly involved in the establishment or enforcement of population control policies forcing a woman to undergo an abortion against her free choice or forcing a man or woman to undergo sterilization against his or her free choice.

(b) EXCEPTIONS.—The prohibitions in subsection (a) shall not apply in the case of a foreign national who is a head of state, head of government, or cabinet level minister.

(c) WAIVER.—The President may waive the prohibitions in subsection (a) with respect to a foreign national if the President—

(1) determines that it is important to the national interest of the United States to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

SEC. 722. SEMIANNUAL REPORTS ON UNITED STATES SUPPORT FOR MEMBERSHIP OR PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.

(a) REPORTS REQUIRED.—Not later than 60 days after the date of enactment of this Act, and every 6 months thereafter, the Secretary of State shall submit to Congress a report on the status of efforts by the United States Government to support—

(1) the membership of Taiwan in international organizations that do not require statehood as a prerequisite to such membership; and

(2) the appropriate level of participation by Taiwan in international organizations that may require statehood as a prerequisite to full membership.

(b) REPORT ELEMENTS.—Each report under subsection (a) shall—

(1) set forth a comprehensive list of the international organizations in which the United States Government supports the membership or participation of Taiwan;

(2) describe in detail the efforts of the United States Government to achieve the membership or participation of Taiwan in each organization listed; and

(3) identify the obstacles to the membership or participation of Taiwan in each organization listed, including a list of any governments that do not support the membership or participation of Taiwan in each such organization.

SEC. 723. CONGRESSIONAL POLICY REGARDING UNITED NATIONS GENERAL ASSEMBLY RESOLUTION ES-10/6.

(a) FINDINGS.—Congress makes the following findings:

(1) In an emergency special session the United Nations General Assembly voted on February 9, 1999, to adopt Resolution ES-10/6, entitled "Illegal Israeli Actions in Occupied East Jerusalem And The Rest Of The Occupied Palestinian Territory", to convene for the first time in 50 years the parties to

the Fourth Geneva Convention for the Protection of Civilians in Time of War.

(2) That resolution unfairly places full blame for the deterioration of the peace process in the Middle East on Israel and dangerously politicizes the Geneva Convention, which was established to address critical humanitarian crises.

(3) The adoption of that resolution is intended to prejudice direct negotiations in the peace process in the Middle East, put additional and undue pressure on Israel to influence the results of such negotiations, and single out Israel for unprecedented enforcement proceedings which have never been invoked, even against governments with records of massive violations of the Geneva Convention.

(b) STATEMENT OF POLICY.—Congress—

(1) commends the Department of State for the vote of the United States against United Nations General Assembly Resolution ES-10/6, thereby affirming that the text of the resolution politicizes the Fourth Geneva Convention, which is primarily humanitarian in nature; and

(2) urges the Department of State to continue its efforts against convening the conference specified in the resolution.

SEC. 724. WAIVER OF CERTAIN PROHIBITIONS REGARDING THE PALESTINE LIBERATION ORGANIZATION.

(a) AUTHORITY TO WAIVE.—The President may waive any prohibition set forth in section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204; 101 Stat. 1407; 22 U.S.C. 5202) if the President determines and so certifies to the appropriate congressional committees that—

(1) it is in the national interest of the United States to do so; and

(2) after the date of the enactment of this Act, neither the Palestine Liberation Organization, the Palestinian Authority, the Palestinian Legislative Council, nor any Palestinian governing body with jurisdiction over territories controlled by the Palestinian Authority has made a declaration of statehood outside the framework of negotiations with the State Israel.

(b) PERIOD OF APPLICABILITY OF WAIVER.—Any waiver under subsection (a) shall be effective for not more than 6 months at a time.

SEC. 725. UNITED STATES POLICY REGARDING JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) CONSTRUCTION OF UNITED STATES EMBASSY IN JERUSALEM.—Of the amounts authorized to be appropriated by section 101(a)(3) of this Act for "Security and Maintenance of United States Missions", \$50,000,000 for the fiscal year 2000 and \$50,000,000 for the fiscal year 2001 may be available for the construction of a United States embassy in Jerusalem, Israel.

(b) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act should be obligated or expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(c) LIMITATION ON USE OF FUNDS FOR CERTAIN PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be obligated or expended for the publication of any official government document which lists countries and their capital cities unless the document identifies Jerusalem as the capital of Israel.

(d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR PASSPORT PURPOSES.—For purposes of the registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Je-

rusalem, the Secretary of State shall, upon the request of the citizen, record the place of birth as Israel.

SEC. 726. UNITED STATES POLICY WITH RESPECT TO NIGERIA.

(a) FINDINGS.—Congress makes the following findings:

(1) A stable and democratic Nigeria is important to the interests of the United States, the West African region, and the international community.

(2) Millions of Nigerians participated in four rounds of multiparty elections as part of a transition program that will culminate in the inauguration of a civilian president, members of the National Assembly, governors, and local leaders on May 29, 1999. Although turnout in each of the four rounds was lower than expected, a clear majority of Nigerians demonstrated their support for a swift and orderly transition to democratic civilian rule through participation in the elections or through other means.

(3) Nevertheless, continued rule by successive military regimes in Nigeria has harmed the lives of the people of Nigeria, undermined confidence in the Nigerian economy, damaged relations between Nigeria and the United States, and threatened the political and economic stability of West Africa.

(4) Although the current military regime, under the leadership of General Abdusalami Abubakar, has made significant progress in liberalizing the political environment in Nigeria, including increased respect for freedom of assembly, expression, and association, numerous decrees are still in force that suspend the constitutional protection of fundamental human rights, allow indefinite detention without charge, and revoke the jurisdiction of civilian courts over executive actions.

(5) Despite the optimism expressed by many observers about the progress that has been made in Nigeria, the country's recent history raises serious questions about the potential success of the transition program. In particular, events in the Niger Delta in early 1999 underscore the critical need for ongoing monitoring of the situation and indicate that a return by the Government of Nigeria to repressive methods remains a possibility.

(b) DECLARATION OF POLICY.—Congress declares that the United States—

(1) supports a timely, effective, and sustainable transition to democratic, civilian government in Nigeria; and

(2) encourages the incoming civilian government in Nigeria to make the political, economic, and legal reforms necessary to ensure the rule of law and respect for human rights in Nigeria, including establishing effective democratic institutions, integrating the military into democratic society, and creating mechanisms for transparency and accountability.

SEC. 727. PARTIAL LIQUIDATION OF BLOCKED LIBYAN ASSETS.

(a) LIQUIDATION OF CERTAIN BLOCKED LIBYAN ASSETS.—The President shall vest and liquidate so much of blocked Libyan assets, ordered pursuant to Executive Order No. 12544 (January 8, 1986), as is necessary to pay for the reasonable costs of travel to and from The Hague, Netherlands, by immediate family members of United States citizens who were victims of the crash of Pan American flight 103 in 1988 and wish to attend the trial of those individuals suspected of terrorist acts causing the crash.

(b) DEFINITIONS.—In this section—

(1) BLOCKED LIBYAN ASSETS.—The term "blocked Libyan assets" refers to property and interests of the Government of Libya, its agencies, instrumentalities, and controlled

entities and the Bank of Libya, blocked pursuant to Executive Order No. 12544 (January 8, 1986).

(2) IMMEDIATE FAMILY MEMBERS.—The term "immediate family member" means parents, siblings, children, spouse, or a person who stood in loco parentis or to whom he or she stood in loco parentis, of a crash victim.

SEC. 728. SUPPORT FOR REFUGEES FROM RUSSIA WHO CHOOSE TO RESETTLE IN ISRAEL.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Jewish community is the third largest Jewish community in the world.

(2) Anti-Semitic rhetoric from members of the Duma of the Russian Federation has increased during the past year.

(3) The Duma failed to pass a resolution condemning the anti-Semitic statements made by Russian lawmakers on March 19, 1999.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should support members of Russia's Jewish community; and

(2) the United States should continue to provide assistance to Russian Jewish refugees resettling in Israel.

SEC. 729. SENSE OF CONGRESS REGARDING EXTRADITION OF LT. GENERAL IGOR GIORGADZE.

(a) FINDINGS.—Congress makes the following findings:

(1) On Tuesday, August 29, 1995, President Eduard Shevardnadze of Georgia was the victim of an attempted assassination plot as he was departing his offices in the Georgian Parliament building to attend the signing ceremony for a new Georgian constitution.

(2) Former Chief of the Georgian National Security Service, Lt. General Igor Giorgadze, has been implicated in organizing the August 29, 1995 car bomb attack on President Shevardnadze, and allegedly fled from the Varziani air base, one of Russia's four military bases in Georgia at that time, and the same Russian base on which three Georgia aircraft SU 25's were sabotaged, preventing them from performing fighter escort duty for President Shevardnadze's aircraft.

(3) Lt. General Igor Giorgadze has subsequently been seen walking freely on the streets of Moscow as well as living and utilizing facilities of the Government of Russia.

(4) Interpol is conducting a search for Lt. General Igor Giorgadze for his role in the assassination attempt against President Shevardnadze.

(5) In the aftermath of the attack on President Shevardnadze, and regularly since that time, the Government of Georgia has made repeated requests for the extradition of Lt. General Igor Giorgadze to Tbilisi, Georgia.

(6) The Russian Interior Ministry has claimed that it is unable to locate Giorgadze.

(7) The Georgian Security and Interior Ministries on repeated occasions have provided to the Russian Interior Ministry—

(A) the exact locations in Russia where Giorgadze could be found, including the exact location in Moscow where Giorgadze's family lived;

(B) the exact location where Giorgadze himself stayed outside of Moscow in a dacha of the Russian Ministry of Defense;

(C) people he associates with;

(D) apartments he visits; and

(E) the places, including restaurants, markets, and companies, he frequents.

(8) Russian newspapers regularly carry interviews with Giorgadze in which Giorgadze calls for a change in regime in Tbilisi.

(9) Giorgadze is actively engaged in a propaganda campaign against President Shevardnadze and the democratic forces in

Georgia, with the assistance of his father who is the Communist Party chief in Georgia.

(10) Giorgadze continues to organize and plan attempts on the life of President Shevardnadze.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President and other senior United States Government officials should raise at each bilateral meeting between officials of the United States Government and officials of the Russian Federation the issue of the extradition of Lt. General Igor Giorgadze to Georgia.

SEC. 730. SENSE OF CONGRESS ON THE USE OF CHILDREN AS SOLDIERS OR OTHER COMBATANTS IN FOREIGN ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) There are at least 300,000 children who are involved in armed conflict in at least 25 countries around the world. This is an escalating international humanitarian crisis which must be addressed promptly.

(2) Children are uniquely vulnerable to military recruitment because of their emotional and physical immaturity, are easily manipulated, and can be drawn into violence that they are too young to resist or understand.

(3) Children are most likely to become child soldiers if they are orphans, refugees, poor, separated from their families, displaced from their homes, living in a combat zone, or have limited access to education.

(4) Child soldiers, besides being exposed to the normal hazards of combat, are also afflicted with other injuries due to their lives in the military. Young children may have sexually related illnesses, suffer from malnutrition, have deformed backs and shoulders which are the result of carrying loads too heavy for them, as well as respiratory and skin infections.

(5) One of the most egregious examples of the use of child soldiers is the abduction thousands of children, some as young as 8 years of age, by the Lord's Resistance Army (in this section referred to as the "LRA") in northern Uganda.

(6) The Department of State's Country Reports on Human Rights Practices For 1999 reports that in Uganda the LRA abducted children "to be guerillas and tortured them by beating them, raping them, forcing them to march until collapse, and denying them adequate food, water, or shelter".

(7) Children who manage to escape from LRA captivity have little access to trauma care and rehabilitation programs, and many find their families displaced, missing, dead, or fearful of having their children return home.

(8) A large number of children have participated and been killed in the armed conflict in Sri Lanka, and the use of children as soldiers has led to a breakdown in law and order in Sierra Leone.

(b) SENSE OF CONGRESS.—

(1) CONDEMNATION.—Congress hereby joins the international community in condemning the use of children as soldiers and other combatants by governmental and non-governmental armed forces.

(2) FURTHER SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should—

(A) study the issue of the rehabilitation of former child soldiers, the manner in which their suffering can be alleviated, and the positive role that the United States can play in such an effort; and

(B) submit a report to Congress on the issue of rehabilitation of child soldiers and their families.

SEC. 731. TECHNICAL CORRECTIONS.

(a) Section 1422(b)(3)(B) of the Foreign Affairs Reform and Restructuring Act (as contained in division G of Public Law 105-277; 112 Stat. 2681-792) is amended by striking "divisionAct" and inserting "division".

(b) Section 1002(a) of the Foreign Affairs Reform and Restructuring Act (as contained in division G of Public Law 105-277; 112 Stat. 2681-762) is amended by striking paragraph (3).

(c) The table of contents of division G of Public Law 105-277 (112 Stat. 2681-762) is amended by striking "DIVISION—" and inserting "DIVISION G".

SEC. 732. REPORTS WITH RESPECT TO A REFERENDUM ON WESTERN SAHARA.

(a) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than each of the dates specified in paragraph (2), the Secretary of State shall submit a report to the appropriate congressional committees describing specific steps being taken by the Government of Morocco and by the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO) to ensure that a free, fair, and transparent referendum in which the people of the Western Sahara will choose between independence and integration with Morocco will be held by July 2000.

(2) DEADLINES FOR SUBMISSION OF REPORTS.—The dates referred to in paragraph (1) are January 1, 2000, and June 1, 2000.

(b) REPORT ELEMENTS.—The report shall include—

(1) a description of preparations for the referendum, including the extent to which free access to the territory for independent international organizations, including election observers and international media, will be guaranteed;

(2) a description of current efforts by the Department of State to ensure that a referendum will be held by July 2000;

(3) an assessment of the likelihood that the July 2000 date will be met;

(4) a description of obstacles, if any, to the voter-registration process and other preparations for the referendum, and efforts being made by the parties and the United States Government to overcome those obstacles; and

(5) an assessment of progress being made in the repatriation process.

SEC. 733. SELF-DETERMINATION IN EAST TIMOR

(a) FINDINGS.—The Congress finds as follows:

(1) On May 5, 1999, the Governments of Indonesia and Portugal signed an agreement that provides for an August 8, 1999 ballot organized by the United Nations on East Timor's political status.

(2) On June 22, 1999, the ballot was rescheduled for August 21 or August 22 due to concerns that the conditions necessary for a free and fair vote could not be established prior to August 8.

(3) On January 27, 1999, President Habibie expressed a willingness to consider independence for East Timor if a majority of the East Timorese reject autonomy in the August ballot.

(4) Under the May 5th agreement the Government of Indonesia is responsible for ensuring that the August ballot is carried out in a fair and peaceful way in an atmosphere free of intimidation, violence or interference.

(5) The inclusion of anti-independence militia members in Indonesian forces responsible for establishing security in East Timor violates the May 5th agreement which states that the absolute neutrality of the military and police is essential for holding a free and fair ballot.

(6) The arming of anti-independence militias by members of the Indonesian military

for the purpose of sabotaging the August ballot has resulted in hundreds of civilians killed, injured or disappeared in separate attacks by these militias who continue to act without restraint.

(7) The United Nations Secretary General has received credible reports of political violence, including intimidation and killings, by armed anti-independence militias against unarmed pro-independence civilians.

(8) There have been killings of opponents of independence, including civilians and militia members.

(9) The killings in East Timor should be fully investigated and the individuals responsible brought to justice.

(10) Access to East Timor by international human rights monitors and humanitarian organizations is limited, and members of the press have been threatened.

(11) The presence of members of the United Nations Assistance Mission in East Timor has already resulted in an improved security environment in the East Timorese capital of Dili.

(12) A robust international observer mission and police force throughout East Timor is critical to creating a stable and secure environment necessary for a free and fair ballot.

(13) The Administration should be commended for its support for the United Nations Assistance Mission in East Timor which will provide monitoring and support for the ballot and include international civilian police, military liaison officers and election monitors.

(b) **POLICY.**—(1) The President, Secretary of State, Secretary of Defense, and the Secretary of the Treasury (acting through the United States executive directors to international financial institutions) should immediately intensify their efforts to prevail upon the Indonesian Government and military to—

(A) disarm and disband anti-independence militias;

(B) grant full access to East Timor by international human rights monitors, humanitarian organizations, and the press;

(C) allow Timorese who have been living in exile to return to East Timor to participate in the ballot.

(2) The President should submit a report to the Congress not later than 21 days after passage of this Act, containing a description of the Administration's efforts and his assessment of steps taken by the Indonesian Government and military to ensure a stable and secure environment in East Timor, including those steps described in paragraph (1).

SEC. 734. PROHIBITION ON THE RETURN OF VETERANS MEMORIAL OBJECTS TO FOREIGN NATIONS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) **PROHIBITION.**—Notwithstanding section 2572 of title 10, United States Code, or any other provision of law, the President may not transfer a veterans memorial object to a foreign country or entity controlled by a foreign government, or otherwise transfer or convey such object to any person or entity for purposes of the ultimate transfer or conveyance of such object to a foreign country or entity controlled by a foreign government, unless specifically authorized by law.

(b) **DEFINITIONS.**—In this section:

(1) **ENTITY CONTROLLED BY A FOREIGN GOVERNMENT.**—The term "entity controlled by a foreign government" has the meaning given that term in section 2536(c)(1) of title 10, United States Code.

(2) **VETERANS MEMORIAL OBJECT.**—The term "veterans memorial object" means any object, including a physical structure or portion thereof, that—

(A) is located at a cemetery of the National Cemetery System, war memorial, or military installation in the United States;

(B) is dedicated to, or otherwise memorializes, the death in combat or combat-related duties of members of the United States Armed Forces; and

(C) was brought to the United States from abroad as a memorial of combat abroad.

SEC. 735. SUPPORT FOR THE PEACE PROCESS IN SUDAN.

(a) **FINDINGS.**—Congress finds that—

(1) the civil war in Sudan has continued unabated for 16 years and raged intermittently for 40 years;

(2) an estimated 1,900,000 Sudanese people have died as a result of war-related causes and famine;

(3) an estimated 4,000,000 people are currently in need of emergency food assistance in different areas of Sudan;

(4) approximately 4,000,000 people are internally displaced in Sudan;

(5) the continuation of war has led to human rights abuses by all parties to the conflict, including the killing of civilians, slavery, rape, and torture on the part of government forces and paramilitary forces; and

(6) it is in the interest of all the people of Sudan for the parties to the conflict to seek a negotiated settlement of hostilities and the establishment of a lasting peace in Sudan.

(b) **SENSE OF CONGRESS.**—(1) Congress—

(A) acknowledges the renewed vigor in facilitating and assisting the Inter-Governmental Authority for Development (IGAD) peace process in Sudan; and

(B) urges continued and sustained engagement by the Department of State in the IGAD peace process and the IGAD Partners' Forum.

(2) It is the sense of Congress that the President should—

(A) appoint a special envoy—

(i) to serve as a point of contact for the Inter-Governmental Authority for Development peace process;

(ii) to coordinate with the Inter-Governmental Authority for Development Partners Forum as the Forum works to support the peace process in Sudan; and

(iii) to coordinate United States humanitarian assistance to southern Sudan.

(B) provide increased financial and technical support for the IGAD Peace Process and especially the IGAD Secretariat in Nairobi, Kenya; and

(C) instruct the United States Permanent Representative to the United Nations to call on the United Nations Secretary General to consider the appointment of a special envoy for Sudan.

SEC. 736. EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE TREATMENT OF RELIGIOUS MINORITIES IN THE ISLAMIC REPUBLIC OF IRAN, AND PARTICULARLY THE RECENT ARRESTS OF MEMBERS OF THAT COUNTRY'S JEWISH COMMUNITY.

(a) **FINDINGS.**—The Senate finds that—

(1) ten percent of the citizens of the Islamic Republic of Iran are members of religious minority groups;

(2) according to the State Department and internationally recognized human rights organizations, such as Human Rights Watch and Amnesty International, religious minorities in the Islamic Republic of Iran—including Sunni Muslims, Baha'is, Christians, and Jews—have been the victims of human rights violations solely because of their status as religious minorities;

(3) the 55th session of the United Nations Commission on Human Rights passed Resolution 1999/13, which expresses the concern of the international community over "continued discrimination against religious minorities" in the Islamic Republic of Iran, and calls on that country to moderate its policy on religious minorities until they are "completely emancipated";

(4) more than half the Jews in Iran have been forced to flee that country since the Islamic Revolution of 1979 because of religious persecution, and many of them now reside in the United States;

(5) the Iranian Jewish community, with a 2,500-year history and currently numbering some 30,000 people, is the oldest Jewish community living in the Diaspora;

(6) five Jews have been executed by the Iranian government in the past five years without having been tried;

(7) there has been a noticeable increase recently in anti-Semitic propaganda in the government-controlled Iranian press;

(8) on the eve of the Jewish holiday of Passover 1999, thirteen or more Jews, including community and religious leaders in the city of Shiraz, were arrested by the authorities of the Islamic Republic of Iran; and

(9) in keeping with its dismal record on providing accused prisoners with due process and fair treatment, the Islamic Republic of Iran failed to charge the detained Jews with any specific crime or allow visitation by relatives of the detained for more than two months.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the United States should—

(1) continue to work through the United Nations to assure that the Islamic Republic of Iran implements the recommendations of Resolution 1999/13;

(2) condemn, in the strongest possible terms, the recent arrest of members of Iran's Jewish minority and urge their immediate release;

(3) urge all nations having relations with the Islamic Republic of Iran to condemn the treatment of religious minorities in Iran and call for the release of all prisoners held on the basis of their religious beliefs; and

(4) maintain the current United States policy toward the Islamic Republic of Iran unless and until that country moderates its treatment of religious minorities.

SEC. 737. REPORTING REQUIREMENTS UNDER PLO COMMITMENTS COMPLIANCE ACT OF 1989.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The PLO Commitments Compliance Act of 1989 (title VIII of Public Law 101-246) requires the President to submit reports to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate every 180 days, on Palestinian compliance with the Geneva commitments of 1988, the commitments contained in the letter of September 9, 1993 to the Prime Minister of Israel, and the letter of September 9, 1993 to the Foreign Minister of Norway.

(2) The reporting requirements of the PLO Commitments Compliance Act of 1989 have remained in force from enactment until the present.

(3) Modification and amendment to the PLO Commitments Compliance Act of 1989, and the expiration of the Middle East Peace Facilitation Act (Public Law 104-107) did not alter the reporting requirements.

(4) According to the official records of the Committee on Foreign Relations of the Senate, the last report under the PLO Commitments Compliance Act of 1989 was submitted and received on December 27, 1997.

(b) **REPORTING REQUIREMENTS.**—The PLO Commitments Compliance Act of 1989 is amended—

(1) in section 804(b), by striking "In conjunction with each written policy justification required under section 604(b)(1) of the Middle East Peace Facilitation Act of 1995 or every" and inserting "Every";

(2) in section 804(b)—

(A) by striking "and" at the end of paragraph (9);

(B) by striking the period at the end of paragraph (10); and

(C) by adding at the end the following new paragraphs:

"(11) a statement on the effectiveness of end-use monitoring of international or United States aid being provided to the Palestinian Authority, Palestinian Liberation Organization, or the Palestinian Legislative Council, or to any other agent or instrumentality of the Palestinian Authority, on Palestinian efforts to comply with international accounting standards and on enforcement of anti-corruption measures; and

"(12) a statement on compliance by the Palestinian Authority with the democratic reforms, with specific details regarding the separation of powers called for between the executive and Legislative Council, the status of legislation passed by the Legislative Council and sent to the executive, the support of the executive for local and municipal elections, the status of freedom of the press, and of the ability of the press to broadcast debate from within the Legislative Council and about the activities of the Legislative Council."

SEC. 738. REPORT ON TERRORIST ACTIVITY IN WHICH UNITED STATES CITIZENS WERE KILLED AND RELATED MATTERS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this legislation and every 6 months thereafter, the Secretary of State shall prepare and submit a report, with a classified annex as necessary, to the appropriate congressional committees regarding terrorist attacks in Israel, in territory administered by Israel, and in territory administered by the Palestinian Authority. The report shall contain the following information:

(1) A list of formal commitments the Palestinian Authority has made to combat terrorism.

(2) A list of terrorist attacks, occurring between September 13, 1993 and the date of the report, against United States citizens in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority, including—

(A) a list of all citizens of the United States killed or injured in such attacks;

(B) the date of each attack, the total number of people killed or injured in each attack;

(C) the person or group claiming responsibility for the attack and where such person or group has found refuge or support;

(D) a list of suspects implicated in each attack and the nationality of each suspect, including information on—

(i) which suspects are in the custody of the Palestinian Authority and which suspects are in the custody of Israel;

(ii) which suspects are still at large in areas controlled by the Palestinian Authority or Israel; and

(iii) the whereabouts (or suspected whereabouts) of suspects implicated in each attack.

(3) Of the suspects implicated in the attacks described in paragraph (2) and detained by Palestinian or Israeli authorities, information on—

(A) the date each suspect was incarcerated;

(B) whether any suspects have been released, the date of such release, and whether any released suspect was implicated in subsequent acts of terrorism; and

(C) the status of each case pending against a suspect, including information on whether the suspect has been indicted, prosecuted, or convicted by the Palestinian Authority or Israel.

(4) The policy of the Department of State with respect to offering rewards for information on terrorist suspects, including any in-

formation on whether a reward has been posted for suspects involved in terrorist attacks listed in the report.

(5) A list of each request by the United States for assistance in investigating terrorist attacks listed in the report, a list of each request by the United States for the transfer of terrorist suspects from the Palestinian Authority and Israel since September 13, 1993 and the response to each request from the Palestinian Authority and Israel.

(6) A description of efforts made by United States officials since September 13, 1993 to bring to justice perpetrators of terrorist acts against United States citizens as listed in the report.

(7) A list of any terrorist suspects in these cases who are members of Palestinian police or security forces, the Palestine Liberation Organization, or any Palestinian governing body.

(8) A list of all United States citizens killed or injured in terrorist attacks in Israel or in territory administered by Israel between 1950 and September 13, 1993, to include in each case, where such information is available, any stated claim of responsibility and the resolution or disposition of each case, including information as to the whereabouts of the perpetrators of the acts: *Provided*, That this list shall be submitted only once with the initial report required under this section, unless additional relevant information on these cases becomes available.

(9) The amount of compensation the United States has requested for United States citizens, or their families, injured or killed in attacks by terrorists in Israel, in territory administered by Israel, or in territory administered by the Palestinian Authority since September 13, 1993, and, if no compensation has been requested, an explanation of why such requests have not been made.

(b) CONSULTATION WITH OTHER DEPARTMENTS.—The Secretary of State shall, in preparing the report required by this section, consult and coordinate with all other Government officials who have information necessary to complete the report. Nothing contained in this section shall require the disclosure, on a classified or unclassified basis, of information that would jeopardize sensitive sources and methods or other vital national security interests or jeopardize ongoing criminal investigations or proceedings.

(c) INITIAL REPORT.—Except as provided in subsection (a)(8), the initial report filed under this section shall cover the period between September 13, 1993 and the date of the report.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

SEC. 739. SENSE OF SENATE REGARDING CHILD LABOR.

(a) FINDINGS.—The Senate makes the following findings:

(1) The International Labor Organization (in this resolution referred to as the "ILO") estimates that at least 250,000,000 children under the age of 15 are working around the world, many of them in dangerous jobs that prevent them from pursuing an education and damage their physical and moral well-being.

(2) Children are the most vulnerable element of society and are often abused physically and mentally in the work place.

(3) Making children work endangers their education, health, and normal development.

(4) UNICEF estimates that by the year 2000, over 1,000,000,000 adults will be unable to read or write on even a basic level because

they had to work as children and were not educated.

(5) Nearly 41 percent of the children in Africa, 22 percent in Asia, and 17 percent in Latin America go to work without ever having seen the inside of a classroom.

(6) The President, in his State of the Union address, called abusive child labor "the most intolerable labor practice of all," and called upon other countries to join in the fight against abusive and exploitative child labor.

(7) The Department of Labor has conducted 5 detailed studies that document the growing trend of child labor in the global economy, including a study that shows children as young as 4 are making assorted products that are traded in the global marketplace.

(8) The prevalence of child labor in many developing countries is rooted in widespread poverty that is attributable to unemployment and underemployment among adults, low living standards, and insufficient education and training opportunities among adult workers and children.

(9) The ILO has unanimously reported a new Convention on the Worst Forms of Child Labor.

(10) The United States negotiators played a leading role in the negotiations leading up to the successful conclusion of the new ILO Convention on the Worst Forms of Child Labor.

(11) On September 23, 1993, the United States Senate unanimously adopted a resolution stating its opposition to the importation of products made by abusive and exploitative child labor and the exploitation of children for commercial gain.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) abusive and exploitative child labor should not be tolerated anywhere it occurs;

(2) ILO member States should be commended for their efforts in negotiating this historic convention;

(3) it should be the policy of the United States to continue to work with all foreign nations and international organizations to promote an end to abusive and exploitative child labor; and

(4) the Senate looks forward to the prompt submission by the President of the new ILO Convention on the Worst Forms of Child Labor.

SEC. 740. REPORTING REQUIREMENT ON WORLD-WIDE CIRCULATION OF SMALL ARMS AND LIGHT WEAPONS.

(a) FINDINGS.—Congress makes the following findings:

(1) In numerous regional conflicts, the presence of vast numbers of small arms and light weapons has prolonged and exacerbated conflict and frustrated attempts by the international community to secure lasting peace. The sheer volume of available weaponry has been a major factor in the devastation witnessed in recent conflicts in Angola, Cambodia, Liberia, Mozambique, Rwanda, Sierra Leone, Somalia, Sri Lanka, and Afghanistan, among others, and has contributed to the violence endemic to narcotrafficking in Colombia and Mexico.

(2) Increased access by terrorists, guerrilla groups, criminals, and others to small arms and light weapons poses a real threat to United States participants in peacekeeping operations and United States forces based overseas, as well as to United States citizens traveling overseas.

(3) In accordance with the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998, effective March 28, 1999, all functions and authorities of the Arms Control and Disarmament Agency were transferred to the Secretary of State. One of the stated goals of that Act is to integrate the Arms Control

and Disarmament Agency into the Department of State "to give new emphasis to a broad range of efforts to curb proliferation of dangerous weapons and delivery systems".

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report containing—

(1) an assessment of whether the export of small arms poses any proliferation problems including—

(A) estimates of the numbers and sources of licit and illicit small arms and light arms in circulation and their origins;

(B) the challenges associated with monitoring small arms; and

(C) the political, economic, and security dimensions of this issue, and the threats posed, if any, by these weapons to United States interests, including national security interests;

(2) an assessment of whether the export of small arms of the type sold commercially in the United States should be considered a foreign policy or proliferation issue;

(3) a description of current Department of State activities to monitor and, to the extent possible ensure adequate control of, both the licit and illicit manufacture, transfer, and proliferation of small arms and light weapons, including efforts to survey and assess this matter with respect to Africa and to survey and assess the scope and scale of the issue, including stockpile security and destruction of excess inventory, in NATO and Partnership for Peace countries;

(4) a description of the impact of the reorganization of the Department of State made by the Foreign Affairs Reform and Restructuring Act of 1998 on the transfer of functions relating to monitoring, licensing, analysis, and policy on small arms and light weapons, including—

(A) the integration of and the functions relating to small arms and light weapons of the United States Arms Control and Disarmament Agency with those of the Department of State;

(B) the functions of the Bureau of Arms Control, the Bureau of Nonproliferation, the Bureau of Political-Military Affairs, the Bureau of International Narcotics and Law Enforcement, regional bureaus, and any other relevant bureau or office of the Department of State, including the allocation of personnel and funds, as they pertain to small arms and light weapons;

(C) the functions of the regional bureaus of the Department of State in providing information and policy coordination in bilateral and multilateral settings on small arms and light weapons;

(D) the functions of the Under Secretary of State for Arms Control and International Security pertaining to small arms and light weapons; and

(E) the functions of the scientific and policy advisory board on arms control, nonproliferation, and disarmament pertaining to small arms and light weapons; and

(5) an assessment of whether foreign governments are enforcing their own laws concerning small arms and light weapons import and sale, including commitments under the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials or other relevant international agreements.

Subtitle C—United States Entry-Exit Controls **SEC. 751. AMENDMENT OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996.**

(a) IN GENERAL.—Section 110(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1221 note) is amended to read as follows:

“(a) SYSTEM.—

“(1) IN GENERAL.—Subject to paragraph (2), not later than 2 years after the date of enactment of this Act, the Attorney General shall develop an automated entry and exit control system that will—

“(A) collect a record of departure for every alien departing the United States and match the record of departure with the record of the alien's arrival in the United States; and

“(B) enable the Attorney General to identify, through online searching procedures, lawfully admitted nonimmigrants who remain in the United States beyond the period authorized by the Attorney General.

“(2) EXCEPTION.—The system under paragraph (1) shall not collect a record of arrival or departure—

“(A) at a land border or seaport of the United States for any alien; or

“(B) for any alien for whom the documentary requirements in section 212(a)(7)(B) of the Immigration and Nationality Act have been waived by the Attorney General and the Secretary of State under section 212(d)(4)(B) of the Immigration and Nationality Act.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-546).

SEC. 752. REPORT ON AUTOMATED ENTRY-EXIT CONTROL SYSTEM.

(a) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives on the feasibility of developing and implementing an automated entry-exit control system that would collect a record of departure for every alien departing the United States and match the record of departure with the record of the alien's arrival in the United States, including departures and arrivals at the land borders and seaports of the United States.

(b) CONTENTS OF REPORT.—Such report shall—

(1) assess the costs and feasibility of various means of operating such an automated entry-exit control system, including exploring—

(A) how, if the automated entry-exit control system were limited to certain aliens arriving at airports, departure records of those aliens could be collected when they depart through a land border or seaport; and

(B) the feasibility of the Attorney General, in consultation with the Secretary of State, negotiating reciprocal agreements with the governments of contiguous countries to collect such information on behalf of the United States and share it in an acceptable automated format;

(2) consider the various means of developing such a system, including the use of pilot projects if appropriate, and assess which means would be most appropriate in which geographical regions;

(3) evaluate how such a system could be implemented without increasing border traffic congestion and border crossing delays and, if any such system would increase border crossing delays, evaluate to what extent such congestion or delays would increase; and

(4) estimate the length of time that would be required for any such system to be developed and implemented.

SEC. 753. ANNUAL REPORTS ON ENTRY-EXIT CONTROL AND USE OF ENTRY-EXIT CONTROL DATA.

(a) ANNUAL REPORTS ON IMPLEMENTATION OF ENTRY-EXIT CONTROL AT AIRPORTS.—Not later than 30 days after the end of each fiscal year until the fiscal year in which the Attorney General certifies to Congress that the

entry-exit control system required by section 110(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by section 751 of this Act, has been developed, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report that—

(1) provides an accurate assessment of the status of the development of the entry-exit control system;

(2) includes a specific schedule for the development of the entry-exit control system that the Attorney General anticipates will be met; and

(3) includes a detailed estimate of the funding, if any, needed for the development of the entry-exit control system.

(b) ANNUAL REPORTS ON VISA OVERSTAYS IDENTIFIED THROUGH THE ENTRY-EXIT CONTROL SYSTEM.—Not later than June 30 of each year, the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report that sets forth—

(1) the number of arrival records of aliens and the number of departure records of aliens that were collected during the preceding fiscal year under the entry-exit control system under section 110(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as so amended, with a separate accounting of such numbers by country of nationality;

(2) the number of departure records of aliens that were successfully matched to records of such aliens' prior arrival in the United States, with a separate accounting of such numbers by country of nationality and by classification as immigrant or non-immigrant; and

(3) the number of aliens who arrived as nonimmigrants, or as visitors under the visa waiver program under section 217 of the Immigration and Nationality Act, for whom no matching departure record has been obtained through the system, or through other means, as of the end of such aliens' authorized period of stay, with an accounting by country of nationality and approximate date of arrival in the United States.

(c) INCORPORATION INTO OTHER DATABASES.—Information regarding aliens who have remained in the United States beyond their authorized period of stay that is identified through the system referred to in subsection (a) shall be integrated into appropriate databases of the Immigration and Naturalization Service and the Department of State, including those used at ports-of-entry and at consular offices.

TITLE VIII—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS **Subtitle A—Authorizations of Appropriations** **SEC. 801. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.**

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated under the heading "Contributions to International Organizations" \$940,000,000 for the fiscal year 2000 and \$940,000,000 for the fiscal year 2001 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(2) AVAILABILITY OF FUNDS FOR CIVIL BUDGET OF NATO.—Of the amounts authorized in paragraph (1), \$48,977,000 are authorized in fiscal year 2000 and \$48,977,000 in fiscal year 2001 for the United States assessment for the civil budget of the North Atlantic Treaty Organization.

(b) NO GROWTH BUDGET.—Of the funds made available under subsection (a), \$80,000,000

may be made available during each calendar year only after the Secretary of State certifies that the United Nations has taken no action during the preceding calendar year to increase funding for any United Nations program without identifying an offsetting decrease during that calendar year elsewhere in the United Nations budget of \$2,533,000,000, and cause the United Nations to exceed the initial 1998-99 United Nations biennium budget adopted in December 1997.

(c) INSPECTOR GENERAL OF THE UNITED NATIONS.—

(1) WITHHOLDING OF FUNDS.—Twenty percent of the funds made available in each fiscal year under subsection (a) for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under paragraph (2).

(2) CERTIFICATION.—A certification under this paragraph is a certification by the Secretary of State in the fiscal year concerned that the following conditions are satisfied:

(A) ACTION BY THE UNITED NATIONS.—The United Nations—

(i) has met the requirements of paragraphs (1) through (6) of section 401(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note), as amended by paragraph (3);

(ii) has established procedures that require the Under Secretary General of the Office of Internal Oversight Services to report directly to the Secretary General on the adequacy of the Office's resources to enable the Office to fulfill its mandate; and

(iii) has made available an adequate amount of funds to the Office for carrying out its functions.

(B) AUTHORITY BY OIOS.—The Office of Internal Oversight Services has authority to audit, inspect, or investigate each program, project, or activity funded by the United Nations, and each executive board created under the United Nations has been notified, in writing, of that authority.

(3) AMENDMENT OF THE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995.—Section 401(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 is amended—

(A) by amending paragraph (6) to read as follows:

“(6) the United Nations has procedures in place to ensure that all reports submitted by the Office of Internal Oversight Services are made available to the member states of the United Nations without modification except to the extent necessary to protect the privacy rights of individuals.”; and

(B) by striking “Inspector General” each place it appears and inserting “Office of Internal Oversight Services”.

(d) PROHIBITION ON CERTAIN GLOBAL CONFERENCES.—None of the funds made available under subsection (a) shall be available for any United States contribution to pay for any expense related to the holding of any United Nations global conference, except for any conference scheduled prior to October 1, 1998.

(e) PROHIBITION ON FUNDING OTHER FRAMEWORK TREATY-BASED ORGANIZATIONS.—None of the funds made available for the 1998-1999 biennium budget under subsection (a) for United States contributions to the regular budget of the United Nations shall be available for the United States proportionate share of any other framework treaty-based organization, including the Framework Convention on Global Climate Change, the International Seabed Authority, the Desertification Convention, and the International Criminal Court.

(f) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appro-

priated by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2000 and 2001 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

(g) REFUND OF EXCESS CONTRIBUTIONS.—The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the agency concerned its proportionate share of the amount by which the total contributions to the agency exceed the expenditures of the regular assessed budgets of these agencies.

SEC. 802. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated under the heading “Contributions for International Peacekeeping Activities” \$235,000,000 for the fiscal year 2000 and \$235,000,000 for the fiscal year 2001 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(b) CODIFICATION OF REQUIRED NOTICE OF PROPOSED UNITED NATIONS PEACEKEEPING OPERATIONS.—

(1) CODIFICATION.—Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(A) in subsection (a), by striking the second sentence; and

(B) by striking subsection (e) and inserting the following:

“(e) CONSULTATIONS AND REPORTS ON UNITED NATIONS PEACEKEEPING OPERATIONS.—

“(1) CONSULTATIONS.—Each month the President shall consult with Congress on the status of United Nations peacekeeping operations.

“(2) INFORMATION TO BE PROVIDED.—In connection with such consultations, the following information shall be provided each month to the designated congressional committees:

“(A) With respect to ongoing United Nations peacekeeping operations, the following:

“(i) A list of all resolutions of the United Nations Security Council anticipated to be voted on during such month that would extend or change the mandate of any United Nations peacekeeping operation.

“(ii) For each such operation, any changes in the duration, mandate, and command and control arrangements that are anticipated as a result of the adoption of the resolution.

“(iii) An estimate of the total cost to the United Nations of each such operation for the period covered by the resolution, and an estimate of the amount of that cost that will be assessed to the United States.

“(iv) Any anticipated significant changes in United States participation in or support for each such operation during the period covered by the resolution (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and the estimated costs to the United States of such changes.

“(B) With respect to each new United Nations peacekeeping operation that is anticipated to be authorized by a Security Council

resolution during such month, the following information for the period covered by the resolution:

“(i) The anticipated duration, mandate, and command and control arrangements of such operation, the planned exit strategy, and the vital national interest to be served.

“(ii) An estimate of the total cost to the United Nations of the operation, and an estimate of the amount of that cost that will be assessed to the United States.

“(iii) A description of the functions that would be performed by any United States Armed Forces participating in or otherwise operating in support of the operation, an estimate of the number of members of the Armed Forces that will participate in or otherwise operate in support of the operation, and an estimate of the cost to the United States of such participation or support.

“(iv) A description of any other United States assistance to or support for the operation (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and an estimate of the cost to the United States of such assistance or support.

“(v) A reprogramming of funds pursuant to section 34 of the State Department Basic Authorities Act of 1956, submitted in accordance with the procedures set forth in such section, describing the source of funds that will be used to pay for the cost of the new United Nations peacekeeping operation, provided that such notification shall also be submitted to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

“(3) FORM AND TIMING OF INFORMATION.—

“(A) FORM.—The President shall submit information under clauses (i) and (iii) of paragraph (2)(A) in writing.

“(B) TIMING.—

“(i) ONGOING OPERATIONS.—The information required under paragraph (2)(A) for a month shall be submitted not later than the 10th day of the month.

“(ii) NEW OPERATIONS.—The information required under paragraph (2)(B) shall be submitted in writing with respect to each new United Nations peacekeeping operation not less than 15 days before the anticipated date of the vote on the resolution concerned unless the President determines that exceptional circumstances prevent compliance with the requirement to report 15 days in advance. If the President makes such a determination, the information required under paragraph (2)(B) shall be submitted as far in advance of the vote as is practicable.

“(4) NEW UNITED NATIONS PEACEKEEPING OPERATION DEFINED.—As used in paragraph (2), the term ‘new United Nations peacekeeping operation’ includes any existing or otherwise ongoing United Nations peacekeeping operation—

“(A) where the authorized force strength is to be expanded;

“(B) that is to be authorized to operate in a country in which it was not previously authorized to operate; or

“(C) the mandate of which is to be changed so that the operation would be engaged in significant additional or significantly different functions.

“(5) NOTIFICATION AND QUARTERLY REPORTS REGARDING UNITED STATES ASSISTANCE.—

“(A) NOTIFICATION OF CERTAIN ASSISTANCE.—

“(i) IN GENERAL.—The President shall notify the designated congressional committees at least 15 days before the United States provides any assistance to the United Nations to support peacekeeping operations.

“(ii) EXCEPTION.—This subparagraph does not apply to—

“(I) assistance having a value of less than \$3,000,000 in the case of nonreimbursable assistance or less than \$14,000,000 in the case of reimbursable assistance; or

“(II) assistance provided under the emergency drawdown authority of sections 506(a)(1) and 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1) and 2348a(c)(2)).

“(B) QUARTERLY REPORTS.—

“(i) IN GENERAL.—The President shall submit quarterly reports to the designated congressional committees on all assistance provided by the United States during the preceding calendar quarter to the United Nations to support peacekeeping operations.

“(ii) MATTERS INCLUDED.—Each report under this subparagraph shall describe the assistance provided for each such operation, listed by category of assistance.

“(iii) FOURTH QUARTER REPORT.—The report under this subparagraph for the fourth calendar quarter of each year shall be submitted as part of the annual report required by subsection (d) and shall include cumulative information for the preceding calendar year.

“(f) DESIGNATED CONGRESSIONAL COMMITTEES.—In this section, the term ‘designated congressional committees’ means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.”

(2) CONFORMING REPEAL.—Subsection (a) of section 407 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 22 U.S.C. 287b note; 108 Stat. 448) is repealed.

(c) RELATIONSHIP TO OTHER NOTICE REQUIREMENTS.—Section 4 of the United Nations Participation Act of 1945, as amended by subsection (b), is further amended by adding at the end the following:

“(g) RELATIONSHIP TO OTHER NOTIFICATION REQUIREMENTS.—Nothing in this section is intended to alter or supersede any notification requirement with respect to peacekeeping operations that is established under any other provision of law.”

SEC. 803. AUTHORIZATION OF APPROPRIATIONS FOR CONTRIBUTIONS TO THE UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.

There are authorized to be appropriated to the President \$5,000,000 for each of the fiscal years 2000 and 2001 for payment of contributions to the United Nations Voluntary Fund for Victims of Torture.

Subtitle B—United Nations Activities

SEC. 811. UNITED NATIONS POLICY ON ISRAEL AND THE PALESTINIANS.

(a) CONGRESSIONAL STATEMENT.—It shall be the policy of the United States to promote an end to the persistent inequity experienced by Israel in the United Nations whereby Israel is the only longstanding member of the organization to be denied acceptance into any of the United Nations regional blocs.

(b) POLICY ON ABOLITION OF CERTAIN UNITED NATIONS GROUPS.—It shall be the policy of the United States to seek the abolition of certain United Nations groups the existence of which is inimical to the ongoing Middle East peace process, those groups being the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories; the Committee on the Exercise of the Inalienable Rights of the Palestinian People; the Division for the Palestinian Rights; and the Division on Public Information on the Question of Palestine.

(c) ANNUAL REPORTS.—On January 15 of each year, the Secretary of State shall submit a report to the appropriate congressional committees (in classified or unclassified form as appropriate) on—

(1) actions taken by representatives of the United States to encourage the nations of the Western Europe and Others Group (WEOG) to accept Israel into their regional bloc;

(2) other measures being undertaken, and which will be undertaken, to ensure and promote Israel's full and equal participation in the United Nations; and

(3) steps taken by the United States under subsection (b) to secure abolition by the United Nations of groups described in that subsection.

(d) ANNUAL CONSULTATION.—At the time of the submission of each annual report under subsection (c), the Secretary of State shall consult with the appropriate congressional committees on specific responses received by the Secretary of State from each of the nations of the Western Europe and Others Group (WEOG) on their position concerning Israel's acceptance into their organization.

SEC. 812. DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

Chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2348 et seq.) is amended by adding at the end the following:

“SEC. 554. DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

“(a) UNITED STATES COSTS.—The President shall annually provide to the Secretary General of the United Nations data regarding all costs incurred by the United States Department of Defense during the preceding year in support of all United Nations Security Council resolutions.

“(b) UNITED NATIONS MEMBER COSTS.—The President shall request that the United Nations compile and publish information concerning costs incurred by United Nations members in support of such resolutions.”

SEC. 813. REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

“SEC. 10. REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS.

“(a) REQUIREMENT TO OBTAIN REIMBURSEMENT.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the President shall seek and obtain in a timely fashion a commitment from the United Nations to provide reimbursement to the United States from the United Nations whenever the United States Government furnishes assistance pursuant to the provisions of law described in subsection (c)—

“(A) to the United Nations when the assistance is designed to facilitate or assist in carrying out an assessed peacekeeping operation;

“(B) for any United Nations peacekeeping operation that is authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping or regular budget assessment of the United Nations members; or

“(C) to any country participating in any operation authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping assessments of United Nations members when the assistance is designed to facilitate or assist the participation of that country in the operation.

“(2) EXCEPTIONS.—

“(A) IN GENERAL.—The requirement in paragraph (1) shall not apply to—

“(i) goods and services provided to the United States Armed Forces;

“(ii) assistance having a value of less than \$3,000,000 per fiscal year per operation;

“(iii) assistance furnished before the date of enactment of this section;

“(iv) salaries and expenses of civilian police and other civilian and military monitors where United Nations policy is to require payment by contributing members for similar assistance to United Nations peacekeeping operations; or

“(v) any assistance commitment made before the date of enactment of this section.

“(B) DEPLOYMENTS OF UNITED STATES MILITARY FORCES.—The requirements of subsection (d)(1)(B) shall not apply to the deployment of United States military forces when the President determines that such deployment is important to the security interests of the United States. The cost of such deployment shall be included in the data provided under section 554 of the Foreign Assistance Act of 1961.

“(3) FORM AND AMOUNT.—

“(A) AMOUNT.—The amount of any reimbursement under this subsection shall be determined at the usual rate established by the United Nations.

“(B) FORM.—Reimbursement under this subsection may include credits against the United States assessed contributions for United Nations peacekeeping operations, if the expenses incurred by any United States department or agency providing the assistance have first been reimbursed.

“(b) TREATMENT OF REIMBURSEMENTS.—

“(1) CREDIT.—The amount of any reimbursement paid the United States under subsection (a) shall be credited to the current applicable appropriation, fund, or account of the United States department or agency providing the assistance for which the reimbursement is paid.

“(2) AVAILABILITY.—Amounts credited under paragraph (1) shall be merged with the appropriations, or with appropriations in the fund or account, to which credited and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged.

“(c) COVERED ASSISTANCE.—Subsection (a) applies to assistance provided under the following provisions of law:

“(1) Sections 6 and 7 of this Act.

“(2) Sections 451, 506(a)(1), 516, 552(c), and 607 of the Foreign Assistance Act of 1961.

“(3) Any other provisions of law pursuant to which assistance is provided by the United States to carry out the mandate of an assessed United Nations peacekeeping operation.

“(d) WAIVER.—

“(1) AUTHORITY.—

“(A) IN GENERAL.—The President may authorize the furnishing of assistance covered by this section without regard to subsection (a) if the President determines, and so notifies in writing the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives, that to do so is important to the security interests of the United States.

“(B) CONGRESSIONAL NOTIFICATION.—When exercising the authorities of subparagraph (A), the President shall notify the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

“(2) CONGRESSIONAL REVIEW.—Notwithstanding a notice under paragraph (1) with respect to assistance covered by this section, subsection (a) shall apply to the furnishing

of the assistance if, not later than 15 calendar days after receipt of a notification under that paragraph, the Congress enacts a joint resolution disapproving the determination of the President contained in the notification.

“(3) SENATE PROCEDURES.—Any joint resolution described in paragraph (2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

“(e) RELATIONSHIP TO OTHER REIMBURSEMENT AUTHORITY.—Nothing in this section shall preclude the President from seeking reimbursement for assistance covered by this section that is in addition to the reimbursement sought for the assistance under subsection (a).

“(f) DEFINITION.—In this section, the term ‘assistance’ includes personnel, services, supplies, equipment, facilities, and other assistance if such assistance is provided by the Department of Defense or any other United States Government agency.”

Subtitle C—International Organizations Other than the United Nations

SEC. 821. RESTRICTION RELATING TO UNITED STATES ACCESSION TO THE INTERNATIONAL CRIMINAL COURT.

(a) PROHIBITION.—The United States shall not become a party to the International Criminal Court except pursuant to a treaty made under Article II, section 2, clause 2 of the Constitution of the United States on or after the date of enactment of this Act.

(b) PROHIBITION.—None of the funds authorized to be appropriated by this or any other Act may be obligated for use by, or for support of, the International Criminal Court unless the United States has become a party to the Court pursuant to a treaty made under Article II, section 2, clause 2 of the Constitution of the United States on or after the date of enactment of this Act.

(c) INTERNATIONAL CRIMINAL COURT DEFINED.—In this section, the term “International Criminal Court” means the court established by the Rome Statute of the International Criminal Court, adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court on July 17, 1998.

SEC. 822. PROHIBITION ON EXTRADITION OR TRANSFER OF UNITED STATES CITIZENS TO THE INTERNATIONAL CRIMINAL COURT.

(a) PROHIBITION ON EXTRADITION.—None of the funds authorized to be appropriated or otherwise made available by this or any other Act may be used to extradite a United States citizen to a foreign country that is under an obligation to surrender persons to the International Criminal Court unless that foreign country confirms to the United States that applicable prohibitions on re-extradition apply to such surrender or gives other satisfactory assurances to the United States that the country will not extradite or otherwise transfer that citizen to the International Criminal Court.

(b) PROHIBITION ON CONSENT TO EXTRADITION BY THIRD COUNTRIES.—None of the funds authorized to be appropriated or otherwise made available by this or any other Act may be used to provide consent to the extradition or transfer of a United States citizen by a foreign country that is under an obligation to surrender persons to the International Criminal Court to a third country, unless the third country confirms to the United States that applicable prohibitions on re-extradition apply to such surrender or gives other satisfactory assurances to the United States that the third country will not extradite or otherwise transfer that citizen to the International Criminal Court.

(c) DEFINITION.—In this section, the term “International Criminal Court” has the meaning given the term in section 821(c) of this Act.

SEC. 823. PERMANENT REQUIREMENT FOR REPORTS REGARDING FOREIGN TRAVEL.

Section 2505 of the Foreign Affairs Reform and Restructuring Act of 1998 (as contained in division G of Public Law 105-277) is amended—

(1) in subsection (a), by striking “by this division for fiscal year 1999” and inserting “for the Department of State for any fiscal year”; and

(2) in subsection (d), by striking “not later than April 1, 1999,” and inserting “on April 1 and October 1 of each year”.

SEC. 824. ASSISTANCE TO STATES AND LOCAL GOVERNMENTS BY THE INTERNATIONAL BOUNDARY AND WATER COMMISSION.

(a) AUTHORITY.—Upon the request of a State or local government, the Commissioner of the United States Section of the International Boundary and Water Commission may provide, on a reimbursable basis, technical tests, evaluations, information, surveys, or other similar services to that government.

(b) REIMBURSEMENTS.—

(1) AMOUNT OF REIMBURSEMENT.—Reimbursement for services under subsection (a) shall be made before the services are provided and shall be in an amount equal to the estimated or actual cost of providing the goods or services, as determined by the United States Section of the International Boundary and Water Commission. Proper adjustment of amounts paid in advance by the recipient of the services shall be made as agreed to by the United States Section of the International Boundary and Water Commission on the basis of the actual cost of goods or services provided.

(2) CREDITING APPLICABLE APPROPRIATION ACCOUNT.—Reimbursements received by the United States Section of the International Boundary and Water Commission for providing services under this section shall be deposited as an offsetting collection to the appropriation account from which the cost of providing the services has been paid or will be charged.

SEC. 825. UNITED STATES REPRESENTATION AT THE INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) AMENDMENT TO THE UNITED NATIONS PARTICIPATION ACT OF 1945.—Section 2(h) of the United Nations Participation Act of 1945 (22 U.S.C. 287(h)) is amended by adding at the end the following new sentence: “The representative of the United States to the Vienna office of the United Nations shall also serve as representative of the United States to the International Atomic Energy Agency.”

(b) AMENDMENT TO THE IAEA PARTICIPATION ACT OF 1957.—Section 2(a) of the International Atomic Energy Agency Participation Act of 1957 (22 U.S.C. 2021(a)) is amended by adding at the end the following new sentence: “The Representative of the United States to the Vienna office of the United Nations shall also serve as representative of the United States to the Agency.”

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to individuals appointed on or after the date of enactment of this Act.

SEC. 826. ANNUAL FINANCIAL AUDITS OF UNITED STATES SECTION OF THE INTERNATIONAL BOUNDARY AND WATER COMMISSION.

(a) IN GENERAL.—An independent auditor shall annually conduct an audit of the financial statements and accompanying notes to the financial statements of the United

States Section of the International Boundary and Water Commission, United States and Mexico (in this section referred to as the “Commission”), in accordance with generally accepted Government auditing standards and such other procedures as may be established by the Office of the Inspector General of the Department of State.

(b) REPORTS.—The independent auditor shall report the results of such audit, including a description of the scope of the audit and an expression of opinion as to the overall fairness of the financial statements, to the International Boundary and Water Commission, United States and Mexico. The financial statements of the Commission shall be presented in accordance with generally accepted accounting principles. These financial statements and the report of the independent auditor shall be included in a report which the Commission shall submit to the Congress not later than 90 days after the end of the last fiscal year covered by the audit.

(c) REVIEW BY THE COMPTROLLER GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) may review the audit conducted by the auditor and the report to the Congress in the manner and at such times as the Comptroller General considers necessary. In lieu of the audit required by subsection (b), the Comptroller General shall, if the Comptroller General considers it necessary or, upon the request of the Congress, audit the financial statements of the Commission in the manner provided in subsection (b).

(d) AVAILABILITY OF INFORMATION.—In the event of a review by the Comptroller General under subsection (c), all books, accounts, financial records, reports, files, workpapers, and property belonging to or in use by the Commission and the auditor who conducts the audit under subsection (b), which are necessary for purposes of this subsection, shall be made available to the representatives of the General Accounting Office designated by the Comptroller General.

SEC. 827. SENSE OF CONGRESS CONCERNING ICTR.

(a) FINDINGS.—The Congress finds as follows:

(1) The International Criminal Tribunal for Rwanda (ICTR) was established to prosecute individuals responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda.

(2) A separate tribunal, the International Criminal Tribunal for the Former Yugoslavia (ICTY), was created with a similar purpose for crimes committed in the territory of the former Yugoslavia.

(3) The acts of genocide and crimes against humanity that have been perpetrated against civilians in the Great Lakes region of Africa equal in horror the acts committed in the territory of the former Yugoslavia.

(4) The ICTR has succeeded in issuing at least 28 indictments against 48 individuals, and currently has in custody 38 individuals presumed to have led and directed the 1994 genocide.

(5) The ICTR issued the first conviction ever by an international court for the crime of genocide against Jean-Paul Akayesu, the former mayor of Taba, who was sentenced to life in prison.

(6) The mandate of the ICTR is limited to acts committed only during calendar year 1994, yet the mandate of the ICTY covers serious violations of international humanitarian law since 1991 through the present.

(7) There have been well substantiated allegations of major crimes against humanity and war crimes that have taken place in the Great Lakes region of Africa that fall outside of the current mandate of the Tribunal

in terms of either the dates when, or geographical areas where, such crimes took place.

(8) The attention accorded the ICTY and the indictments that have been made as a result of the ICTY's broad mandate continue to play an important role in current United States policy in the Balkans.

(9) The international community must send an unmistakable signal that genocide and other crimes against humanity cannot be committed with impunity.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the President should instruct the United States United Nations Representative to advocate to the Security Council to direct the Office for Internal Oversight Services (OIOS) to reevaluate the conduct and operation of the ICTR. Particularly, the OIOS should assess the progress made by the Tribunal in implementing the recommendations of the Report of the United Nations Secretary-General on the Activities of the Office of Internal Oversight Services, A/52/784, of February 6, 1998. The OIOS should also include an evaluation of the potential impact of expanding the original mandate of the ICTR.

(c) REPORT.—Ninety days after enactment of this Act, the Secretary of State shall report to Congress on the effectiveness and progress of the ICTR. The report shall include an assessment of the ICTR's ability to meet its current mandate and an evaluation of the potential impact of expanding that mandate to include crimes committed after calendar year 1994.

TITLE IX—ARREARS PAYMENTS AND REFORM

Subtitle A—General Provisions

SEC. 901. SHORT TITLE.

This title may be cited as the "United Nations Reform Act of 1999".

SEC. 902. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

(2) DESIGNATED SPECIALIZED AGENCY DEFINED.—The term "designated specialized agency" means the International Labor Organization, the World Health Organization, and the Food and Agriculture Organization.

(3) GENERAL ASSEMBLY.—The term "General Assembly" means the General Assembly of the United Nations.

(4) SECRETARY GENERAL.—The term "Secretary General" means the Secretary General of the United Nations.

(5) SECURITY COUNCIL.—The term "Security Council" means the Security Council of the United Nations.

(6) UNITED NATIONS MEMBER.—The term "United Nations member" means any country that is a member of the United Nations.

(7) UNITED NATIONS PEACEKEEPING OPERATION.—The term "United Nations peacekeeping operation" means any United Nations-led operation to maintain or restore international peace or security that—

(A) is authorized by the Security Council; and

(B) is paid for from assessed contributions of United Nations members that are made available for peacekeeping activities.

Subtitle B—Arrearages to the United Nations **CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS; OBLIGATION AND EXPENDITURE OF FUNDS**

SEC. 911. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—

(1) FISCAL YEAR 1998.—

(A) REGULAR ASSESSMENTS.—In title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119), under the heading "Contributions to International Organizations", the first proviso shall not apply.

(B) PEACEKEEPING ASSESSMENTS.—In title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119), under the heading "Contributions for International Peacekeeping Activities", the first and second provisos shall not apply.

(2) FISCAL YEAR 1999.—Pursuant to the first proviso under the heading "Arrearage Payments" in title IV of the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105-277), the obligation and expenditure of funds appropriated under such heading for payment of arrearages to meet obligations of membership in the United Nations, and to pay assessed expenses of international peacekeeping activities are hereby authorized, and the second proviso under such heading shall not apply.

(3) FISCAL YEAR 2000.—There are authorized to be appropriated to the Department of State for payment of arrearages owed by the United States described in subsection (b) as of September 30, 1997, \$244,000,000 for fiscal year 2000.

(b) LIMITATION.—Amounts made available under subsection (a) are authorized to be available only—

(1) to pay the United States share of assessments for the regular budget of the United Nations;

(2) to pay the United States share of United Nations peacekeeping operations;

(3) to pay the United States share of United Nations specialized agencies; and

(4) to pay the United States share of other international organizations.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

(d) STATUTORY CONSTRUCTION.—For purposes of payments made using funds made available under subsection (a), section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) shall not apply to United Nations peacekeeping operation assessments received by the United States prior to October 1, 1995.

SEC. 912. OBLIGATION AND EXPENDITURE OF FUNDS.

(a) IN GENERAL.—Funds made available pursuant to section 911 may be obligated and expended only if the requirements of subsections (b) and (c) of this section are satisfied.

(b) OBLIGATION AND EXPENDITURE UPON SATISFACTION OF CERTIFICATION REQUIREMENTS.—Subject to subsections (e) and (f), funds made available pursuant to section 911 may be obligated and expended only in the following allotments and upon the following certifications:

(1) Amounts made available for fiscal year 1998, upon the certification described in section 921.

(2) Amounts made available for fiscal year 1999, upon the certification described in section 931.

(3) Amounts authorized to be appropriated for fiscal year 2000, upon the certification described in section 941.

(c) ADVANCE CONGRESSIONAL NOTIFICATION.—Funds made available pursuant to section 911 may be obligated and expended only if the appropriate certification has been sub-

mitted to the appropriate congressional committees 30 days prior to the payment of the funds.

(d) TRANSMITTAL OF CERTIFICATIONS.—Certifications made under this chapter shall be transmitted by the Secretary of State to the appropriate congressional committees.

(e) WAIVER AUTHORITY WITH RESPECT TO FISCAL YEAR 1999 FUNDS.—

(1) IN GENERAL.—Subject to paragraph (3) and notwithstanding subsection (b), funds made available under section 911 for fiscal year 1999 may be obligated or expended pursuant to subsection (b)(2) even if the Secretary of State cannot certify that the condition described in section 931(b)(1) has been satisfied.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The authority to waive the condition described in paragraph (1) of this subsection may be exercised only if the Secretary of State—

(i) determines that substantial progress towards satisfying the condition has been made and that the expenditure of funds pursuant to that paragraph is important to the interests of the United States; and

(ii) has notified, and consulted with, the appropriate congressional committees prior to exercising the authority.

(B) EFFECT ON SUBSEQUENT CERTIFICATION.—If the Secretary of State exercises the authority of paragraph (1), the condition described in that paragraph shall be deemed to have been satisfied for purposes of making any certification under section 941.

(3) ADDITIONAL REQUIREMENT.—If the authority to waive a condition under paragraph (1)(A) is exercised, the Secretary of State shall notify the United Nations that the Congress does not consider the United States obligated to pay, and does not intend to pay, arrearages that have not been included in the contested arrearages account or other mechanism described in section 931(b)(1).

(f) WAIVER AUTHORITY WITH RESPECT TO FISCAL YEAR 2000 FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2) and notwithstanding subsection (b), funds made available under section 911 for fiscal year 2000 may be obligated or expended pursuant to subsection (b)(3) even if the Secretary of State cannot certify that the condition described in paragraph (1) of section 941(b) has been satisfied.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The authority to waive a condition under paragraph (1) may be exercised only if the Secretary of State has notified, and consulted with, the appropriate congressional committees prior to exercising the authority.

(B) EFFECT ON SUBSEQUENT CERTIFICATION.—If the Secretary of State exercises the authority of paragraph (1) with respect to a condition, such condition shall be deemed to have been satisfied for purposes of making any certification under section 941.

SEC. 913. FORGIVENESS OF AMOUNTS OWED BY THE UNITED NATIONS TO THE UNITED STATES.

(a) FORGIVENESS OF INDEBTEDNESS.—Subject to subsection (b), the President is authorized to forgive or reduce any amount owed by the United Nations to the United States as a reimbursement, including any reimbursement payable under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945.

(b) LIMITATIONS.—

(1) TOTAL AMOUNT.—The total of amounts forgiven or reduced under subsection (a) may not exceed \$107,000,000.

(2) RELATION TO UNITED STATES ARREARAGES.—Amounts shall be forgiven or reduced under this section only to the same extent as the United Nations forgives or reduces amounts owed by the United States to the United Nations as of September 30, 1997.

(c) REQUIREMENTS.—The authority in subsection (a) shall be available only to the extent and in the amounts provided in advance in appropriations Acts.

(d) CONGRESSIONAL NOTIFICATION.—Before exercising any authority in subsection (a), the President shall notify the appropriate congressional committees in accordance with the same procedures as are applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1).

(e) EFFECTIVE DATE.—This section shall take effect on the date a certification is transmitted to the appropriate congressional committees under section 931.

CHAPTER 2—UNITED STATES SOVEREIGNTY

SEC. 921. CERTIFICATION REQUIREMENTS.

(a) CONTENTS OF CERTIFICATION.—A certification described in this section is a certification by the Secretary of State that the following conditions are satisfied:

(1) SUPREMACY OF THE UNITED STATES CONSTITUTION.—No action has been taken by the United Nations or any of its specialized or affiliated agencies that requires the United States to violate the United States Constitution or any law of the United States.

(2) NO UNITED NATIONS SOVEREIGNTY.—Neither the United Nations nor any of its specialized or affiliated agencies—

(A) has exercised sovereignty over the United States; or

(B) has taken any steps that require the United States to cede sovereignty.

(3) NO UNITED NATIONS TAXATION.—

(A) NO LEGAL AUTHORITY.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has the authority under United States law to impose taxes or fees on United States nationals.

(B) NO TAXES OR FEES.—Except as provided in subparagraph (D), a tax or fee has not been imposed on any United States national by the United Nations or any of its specialized or affiliated agencies.

(C) NO TAXATION PROPOSALS.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has, on or after October 1, 1996, officially approved any formal effort to develop, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States national in order to raise revenue for the United Nations or any such agency.

(D) EXCEPTION.—This paragraph does not apply to—

(i) fees for publications or other kinds of fees that are not tantamount to a tax on United States citizens;

(ii) the World Intellectual Property Organization; or

(iii) the staff assessment costs of the United Nations and its specialized or affiliated agencies.

(4) NO STANDING ARMY.—The United Nations has not, on or after October 1, 1996, budgeted any funds for, nor taken any official steps to develop, create, or establish any special agreement under Article 43 of the United Nations Charter to make available to the United Nations, on its call, the armed forces of any member of the United Nations.

(5) NO INTEREST FEES.—The United Nations has not, on or after October 1, 1996, levied interest penalties against the United States or any interest on arrearages on the annual assessment of the United States, and neither the United Nations nor its specialized agencies have, on or after October 1, 1996, amended their financial regulations or taken any other action that would permit interest penalties to be levied against the United States or otherwise charge the United States any

interest on arrearages on its annual assessment.

(6) UNITED STATES REAL PROPERTY RIGHTS.—Neither the United Nations nor any of its specialized or affiliated agencies has exercised authority or control over any United States national park, wildlife preserve, monument, or real property, nor has the United Nations nor any of its specialized or affiliated agencies implemented plans, regulations, programs, or agreements that exercise control or authority over the private real property of United States citizens located in the United States without the approval of the property owner.

(7) TERMINATION OF BORROWING AUTHORITY.—

(A) PROHIBITION ON AUTHORIZATION OF EXTERNAL BORROWING.—On or after the date of enactment of this Act, neither the United Nations nor any specialized agency of the United Nations has amended its financial regulations to permit external borrowing.

(B) PROHIBITION OF UNITED STATES PAYMENT OF INTEREST COSTS.—The United States has not, on or after October 1, 1984, paid its share of any interest costs made known to or identified by the United States Government for loans incurred, on or after October 1, 1984, by the United Nations or any specialized agency of the United Nations through external borrowing.

(b) TRANSMITTAL.—The Secretary of State may transmit a certification under subsection (a) at any time during fiscal year 1998 or thereafter if the requirements of the certification are satisfied.

CHAPTER 3—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACEKEEPING OPERATIONS

SEC. 931. CERTIFICATION REQUIREMENTS.

(a) IN GENERAL.—A certification described in this section is a certification by the Secretary of State that the conditions in subsection (b) are satisfied. Such certification shall not be made by the Secretary if the Secretary determines that any of the conditions set forth in section 921 are no longer satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) CONTESTED ARREARAGES.—The United Nations has established an account or other appropriate mechanism with respect to all United States arrearages incurred before the date of enactment of this Act with respect to which payments are not authorized by this Act, and the failure to pay amounts specified in the account does not affect the application of Article 19 of the Charter of the United Nations. The account established under this paragraph may be referred to as the "contested arrearages account".

(2) LIMITATION ON ASSESSED SHARE OF BUDGET FOR UNITED NATIONS PEACEKEEPING OPERATIONS.—The assessed share of the budget for each assessed United Nations peacekeeping operation does not exceed 25 percent for any single United Nations member.

(3) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET.—The share of the total of all assessed contributions for the regular budget of the United Nations does not exceed 22 percent for any single United Nations member.

CHAPTER 4—BUDGET AND PERSONNEL REFORM

SEC. 941. CERTIFICATION REQUIREMENTS.

(a) IN GENERAL.—

(1) IN GENERAL.—Except as provided in paragraph (2), a certification described in this section is a certification by the Secretary of State that the conditions in subsection (b) are satisfied.

(2) SPECIFIED CERTIFICATION.—A certification described in this section is also a certification that, with respect to the United

Nations or a particular designated specialized agency, the conditions in subsection (b)(4) applicable to that organization are satisfied, regardless of whether the conditions in subsection (b)(4) applicable to any other organization are satisfied, if the other conditions in subsection (b) are satisfied.

(3) EFFECT OF SPECIFIED CERTIFICATION.—Funds made available under section 912(b)(3) upon a certification made under this section with respect to the United Nations or a particular designated specialized agency shall be limited to that portion of the funds available under that section that is allocated for the organization with respect to which the certification is made and for any other organization to which none of the conditions in subsection (b) apply.

(4) LIMITATION.—A certification described in this section shall not be made by the Secretary if the Secretary determines that any of the conditions set forth in sections 921 and 931 are no longer satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET.—The share of the total of all assessed contributions for the regular budget of the United Nations, or any designated specialized agency of the United Nations, does not exceed 20 percent for any single United Nations member.

(2) INSPECTORS GENERAL FOR CERTAIN ORGANIZATIONS.—

(A) ESTABLISHMENT OF OFFICES.—Each designated specialized agency has established an independent office of inspector general to conduct and supervise objective audits, inspections, and investigations relating to the programs and operations of the organization.

(B) APPOINTMENT OF INSPECTORS GENERAL.—The Director General of each designated specialized agency has appointed an inspector general, with the approval of the member states, and that appointment was made principally on the basis of the appointee's integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(C) ASSIGNED FUNCTIONS.—Each inspector general appointed under subparagraph (A) is authorized to—

(i) make investigations and reports relating to the administration of the programs and operations of the agency concerned;

(ii) have access to all records, documents, and other available materials relating to those programs and operations of the agency concerned; and

(iii) have direct and prompt access to any official of the agency concerned.

(D) COMPLAINTS.—Each designated specialized agency has procedures in place designed to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the inspector general of the agency.

(E) COMPLIANCE WITH RECOMMENDATIONS.—Each designated specialized agency has in place procedures designed to ensure compliance with the recommendations of the inspector general of the agency.

(F) AVAILABILITY OF REPORTS.—Each designated specialized agency has in place procedures to ensure that all annual and other relevant reports submitted by the inspector general to the agency are made available to the member states without modification except to the extent necessary to protect the privacy rights of individuals.

(3) NEW BUDGET PROCEDURES FOR THE UNITED NATIONS.—The United Nations has established and is implementing budget procedures that—

(A) require the maintenance of a budget not in excess of the level agreed to by the

General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus; and

(B) require the system-wide identification of expenditures by functional categories such as personnel, travel, and equipment.

(4) SUNSET POLICY FOR CERTAIN UNITED NATIONS PROGRAMS.—

(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each designated specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the designated specialized agencies to conduct evaluations of United Nations programs approved by the General Assembly, and of programs of the designated specialized agencies, in accordance with the standardized methodology referred to in subparagraph (B).

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

(i) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) DESIGNATED SPECIALIZED AGENCIES.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each designated specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) PROCEDURES.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each designated specialized agency has established and is implementing procedures—

(i) requiring the Secretary General or the Director General of the agency, as the case may be, to report on the results of evaluations referred to in this paragraph, including the identification of programs that have met criteria for continuing relevance and effectiveness and proposals to terminate or modify programs that have not met such criteria; and

(ii) authorizing an appropriate body within the United Nations or the agency, as the case may be, to review each evaluation referred to in this paragraph and report to the General Assembly on means of improving the program concerned or on terminating the program.

(D) UNITED STATES POLICY.—It shall be the policy of the United States to seek adoption by the United Nations of a resolution requiring that each United Nations program approved by the General Assembly, and to seek adoption by each designated specialized agency of a resolution requiring that each program of the agency, be subject to an evaluation referred to in this paragraph and have a specific termination date so that the program will not be renewed unless the evaluation demonstrates the continuing relevance and effectiveness of the program.

(E) DEFINITION.—For purposes of this paragraph, the term “United Nations program approved by the General Assembly” means a program approved by the General Assembly of the United Nations which is administered or funded by the United Nations.

(5) UNITED NATIONS ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

(A) IN GENERAL.—The United States has a seat on the United Nations Advisory Committee on Administrative and Budgetary Questions or the five largest member contributors each have a seat on the Advisory Committee.

(B) DEFINITION.—As used in this paragraph, the term “5 largest member contributors” means the 5 United Nations member states that, during a United Nations budgetary biennium, have more total assessed contributions than any other United Nations member state to the aggregate of the United Nations regular budget and the budget (or budgets) for United Nations peacekeeping operations.

(6) ACCESS BY THE GENERAL ACCOUNTING OFFICE.—The United Nations has in effect procedures providing access by the United States General Accounting Office to United Nations financial data to assist the Office in performing nationally mandated reviews of United Nations operations.

(7) PERSONNEL.—

(A) APPOINTMENT AND SERVICE OF PERSONNEL.—The Secretary General—

(i) has established and is implementing procedures that ensure that staff employed by the United Nations is appointed on the basis of merit consistent with Article 101 of the United Nations Charter; and

(ii) is enforcing those contractual obligations requiring worldwide availability of all professional staff of the United Nations to serve and be relocated based on the needs of the United Nations.

(B) CODE OF CONDUCT.—The General Assembly has adopted, and the Secretary General has the authority to enforce and is effectively enforcing, a code of conduct binding on all United Nations personnel, including the requirement of financial disclosure statements binding on senior United Nations personnel and the establishment of rules against nepotism that are binding on all United Nations personnel.

(C) PERSONNEL EVALUATION SYSTEM.—The United Nations has adopted and is enforcing a personnel evaluation system.

(D) PERIODIC ASSESSMENTS.—The United Nations has established and is implementing a mechanism to conduct periodic assessments of the United Nations payroll to determine total staffing, and the results of such assessments are reported in an unabridged form to the General Assembly.

(E) REVIEW OF UNITED NATIONS ALLOWANCE SYSTEM.—The United States has completed a thorough review of the United Nations personnel allowance system. The review shall include a comparison of that system with the United States civil service system, and shall make recommendations to reduce entitlements to allowances and allowance funding levels from the levels in effect on January 1, 1998.

(8) REDUCTION IN BUDGET AUTHORITIES.—The designated specialized agencies have achieved zero nominal growth in their biennium budgets for 2000-01 from the 1998-99 biennium budget levels of the respective agencies.

(9) NEW BUDGET PROCEDURES AND FINANCIAL REGULATIONS.—Each designated specialized agency has established procedures to—

(A) require the maintenance of a budget that does not exceed the level agreed to by the member states of the organization at the beginning of each budgetary biennium, unless increases are agreed to by consensus;

(B) require the identification of expenditures by functional categories such as personnel, travel, and equipment; and

(C) require approval by the member states of the agency's supplemental budget requests to the Secretariat in advance of expenditures under those requests.

(10) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET FOR THE DESIGNATED SPECIALIZED AGENCIES.—The share of the total of all assessed contributions for any designated specialized agency does not exceed 22 percent for any single member of the agency.

Subtitle C—Miscellaneous Provisions

SEC. 951. STATUTORY CONSTRUCTION ON RELATION TO EXISTING LAWS.

Except as otherwise specifically provided, nothing in this title may be construed to make available funds in violation of any provision of law containing a specific prohibition or restriction on the use of the funds, including section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), section 151 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 287e note), and section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note).

SEC. 952. PROHIBITION ON PAYMENTS RELATING TO UNIDO AND OTHER INTERNATIONAL ORGANIZATIONS FROM WHICH THE UNITED STATES HAS WITHDRAWN OR RESCINDED FUNDING.

None of the funds authorized to be appropriated by this title shall be used to pay any arrearage for—

(1) the United Nations Industrial Development Organization;

(2) any costs to merge that organization into the United Nations;

(3) the costs associated with any other organization of the United Nations from which the United States has withdrawn including the costs of the merger of such organization into the United Nations; or

(4) the World Tourism Organization, or any other international organization with respect to which Congress has rescinded funding.

TITLE X—RUSSIAN BUSINESS MANAGEMENT EDUCATION

SEC. 1001. PURPOSE.

The purpose of this title is to establish a training program in Russia for nationals of Russia to obtain skills in business administration, accounting, and marketing, with special emphasis on instruction in business ethics and in the basic terminology, techniques, and practices of those disciplines, to achieve international standards of quality, transparency, and competitiveness.

SEC. 1002. DEFINITIONS.

(a) BOARD.—The term “Board” means the United States-Russia Business Management Training Board established under section 1005(a).

(b) DISTANCE LEARNING.—The term “distance learning” means training through computers, interactive videos, teleconferencing, and videoconferencing between and among students and teachers.

(c) ELIGIBLE ENTERPRISE.—The term “eligible enterprise” means—

(1) a business concern operating in Russia that employs Russian nationals; and

(2) a private enterprise that is being formed or operated by former officers of the Russian armed forces in Russia.

(d) SECRETARY.—The term “Secretary” means the Secretary of State.

SEC. 1003. AUTHORIZATION FOR TRAINING PROGRAM AND INTERNSHIPS.

(a) TRAINING PROGRAM.—

(1) IN GENERAL.—The Secretary of State, acting through the Under Secretary of State for Public Diplomacy, and taking into account the general policies recommended by the United States-Russia Business Management Training Board established under section 1005(a), is authorized to establish a program of technical assistance (in this title referred to as the “program”) to provide the training described in section 1001 to eligible enterprises.

(2) IMPLEMENTATION.—Training shall be carried out by United States nationals having expertise in business administration, accounting, and marketing or by Russian nationals who have been trained under the program or by those who meet criteria established by the Board. Such training may be carried out—

(A) in the offices of eligible enterprises, at business schools or institutes, or at other locations in Russia, including facilities of the armed forces of Russia, educational institutions, or in the offices of trade or industry associations, with special consideration given to locations where similar training opportunities are limited or nonexistent; or

(B) by "distance learning" programs originating in the United States or in European branches of United States institutions.

(b) INTERNSHIPS WITH UNITED STATES DOMESTIC BUSINESS CONCERNS.—The Secretary, acting through the Under Secretary of State for Public Diplomacy, is authorized to pay the travel expenses and appropriate in-country business English language training, if needed, of certain Russian nationals who have completed training under the program to undertake short-term internships with business concerns in the United States upon the recommendation of the Board.

SEC. 1004. APPLICATIONS FOR TECHNICAL ASSISTANCE.

(a) PROCEDURES.—

(1) IN GENERAL.—Each eligible enterprise that desires to receive training for its employees and managers under this title shall submit an application to the clearinghouse established by subsection (d), at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require.

(2) JOINT APPLICATIONS.—A consortium of eligible enterprises may file a joint application under the provisions of paragraph (1).

(b) CONTENTS.—The Secretary shall approve an application under subsection (a) only if the application—

(1) is for an individual or individuals employed in an eligible enterprise or enterprises applying under the program;

(2) describes the level of training for which assistance under this title is sought;

(3) provides evidence that the eligible enterprise meets the general policies adopted by the Secretary for the administration of this title;

(4) provides assurances that the eligible enterprise will pay a share of the costs of the

training, which share may include in-kind contributions; and

(5) provides such additional assurances as the Secretary determines to be essential to ensure compliance with the requirements of this title.

(c) COMPLIANCE WITH BOARD POLICIES.—The Secretary shall approve applications for technical assistance under the program after taking into account the recommendations of the Board.

(d) CLEARINGHOUSE.—There is established a clearinghouse in Russia to manage and execute the program. The clearinghouse shall screen applications, provide information regarding training and teachers, monitor performance of the program, and coordinate appropriate post-program follow-on activities.

SEC. 1005. UNITED STATES-RUSSIAN BUSINESS MANAGEMENT TRAINING BOARD.

(a) ESTABLISHMENT.—There is established within the Department of State a United States-Russian Business Management Training Board.

(b) COMPOSITION.—The Board established pursuant to subsection (a) shall be composed of 12 members as follows:

(1) The Under Secretary of State for Public Diplomacy.

(2) The Administrator of the Agency for International Development.

(3) The Secretary of Commerce.

(4) The Secretary of Education.

(5) Six individuals from the private sector having expertise in business administration, accounting, and marketing, who shall be appointed by the Secretary of State, as follows:

(A) Two individuals employed by graduate schools of management offering accredited degrees.

(B) Two individuals employed by eligible enterprises.

(C) Two individuals from nongovernmental organizations involved in promoting free market economy practices in Russia.

(6) Two nationals of Russia having experience in business administration, accounting, or marketing, who shall be appointed by the Secretary of State upon the recommendation of the Government of Russia, and who shall serve as nonvoting members.

(c) GENERAL POLICIES.—The Board shall make recommendations to the Secretary with respect to general policies for the administration of this title, including—

(1) guidelines for the administration of the program under this title;

(2) criteria for determining the qualifications of applicants under the program;

(3) the appointment of panels of business leaders in the United States and Russia for the purpose of nominating trainees; and

(4) such other matters with respect to which the Secretary may request recommendations.

(d) CHAIRPERSON.—The Chairperson of the Board shall be designated by the President from among the voting members of the Board. Except as provided in subsection (e)(2), a majority of the voting members of the Board shall constitute a quorum.

(e) MEETINGS.—The Board shall meet at the call of the Chairperson, except that—

(1) the Board shall meet not less than 4 times each year; and

(2) the Board shall meet whenever one-third of the voting members request a meeting in writing, in which event 7 of the voting members shall constitute a quorum.

(f) COMPENSATION.—Members of the Board who are not in the regular full-time employ of the United States shall receive, while engaged in the business of the Board, compensation for service at a rate to be fixed by the President, except that such rate shall not exceed the rate specified at the time of such service for level V of the Executive Schedule under section 5316 of title 5, United States Code, including traveltime, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in Government service.

SEC. 1006. RESTRICTIONS NOT APPLICABLE.

Prohibitions on the use of foreign assistance funds for assistance for the Russian Federation shall not apply with respect to the funds made available to carry out this title.

SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated \$10,000,000 for each of fiscal years 2000 and 2001 to carry out this title.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated under subsection (a) are authorized to remain available until expended.

SEC. 1008. EFFECTIVE DATE.

This title shall take effect on October 1, 1999.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1, TO MAR. 31, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mitch McConnell:									
Cambodia	Dollar		625.00						625.00
Indonesia	Dollar		625.00						625.00
Australia	Dollar		625.00						625.00
New Zealand	Dollar		625.00						625.00
Robin Cleveland:									
Cambodia	Dollar		625.00						625.00
Indonesia	Dollar		625.00						625.00
Australia	Dollar		625.00						625.00
New Zealand	Dollar		625.00						625.00
Senator Patrick Leahy: Cuba	Dollar		686.00						686.00
Tim Riesen: Cuba	Dollar		686.00						686.00
Steve Cortese:									
So. Africa	Dollar		758.00						758.00
So. Africa	Dollar		830.00						830.00
Uganda	Dollar		75.00						75.00
Kenya	Dollar		1,170.00						1,170.00
United States	Dollar			6,932.06					6,932.06